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THE  
REVISED ORDINANCES

OF

1892

OF THE

CITY OF CAMBRIDGE

AS AMENDED TO NOVEMBER 8, 1890

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PUBLISHED BY ORDER OF THE CITY COUNCIL

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# AN ACT

## TO AMEND THE CHARTER OF THE CITY OF CAMBRIDGE

### CHAPTER 364, ACTS OF 1891,

### AS AMENDED BY CHAPTER 173, ACTS OF 1896

1. Municipal powers continued.
2. Administration of affairs and government vested in mayor and city council. Each branch to sit separately. Mayor and aldermen, how chosen. Common council, apportionment of members. How elected.
3. Number and boundaries of wards. Present apportionment of councilmen. Members of common council to be reapportioned every five years.
4. Annual municipal election. Term of office. Election of assessors and school committee. Term of office. Vacancies.
5. Elections to be held in pursuance of warrants. General meetings of qualified voters.
6. In case of non-election of the mayor or members of the city council. Vacancies, how filled. Removal from one ward to another shall not create a vacancy.
7. Mayor, aldermen and common councilmen to be sworn. Certificate of oath to be entered in record.
8. Executive powers, vested in the mayor. Surveyors of highways. Mayor to have control of police force. Special meetings of city council. Shall communicate such information as the interests of city require. Shall be *ex-officio* chairman of school committee. General duties. May summon heads of departments for consultation.
9. Officers shall be resident citizens. Mayor shall appoint officers. Appointment of assistant assessors. Appointments by mayor shall not be acted upon for one week, except, etc.
10. Removal of officers.
11. Ordinances, orders, etc., to be presented to the mayor for approval. He may veto votes of the city council. If not returned by mayor within ten days, order, etc., to be in force. Partial veto. May veto orders and votes of the aldermen.
12. Mayor to execute deeds, leases, etc.
13. Mayor shall keep record of official acts, may appoint a clerk. Salary.
14. Existing powers vested in city council. Quorum. No member shall receive compensation. Sittings to be public, except, etc.
15. City council may make ordinances and fix penalties.
16. Laying out, altering, etc., streets, and taking land for sewers. Damages and appeal.
17. Fire department. Powers of engineers.
18. Money not to be paid out unless appropriated. Report of receipts and expenditures.
19. Election of city clerk and assistant. May be removed. Duties. Election of city messenger and clerk of committees.
20. Election of city treasurer and city auditor. Treasurer to be collector of taxes. May be removed. Election of city solicitor. May be removed.
21. Election of overseers of the poor.
22. Treasurer may appoint deputy collectors of taxes. Special powers of treasurer.
23. Fees and commissions to be paid into city treasury.
24. Vacancies in board of assessors.
25. Members of city council shall not take part in the employment of labor. Nor, be appointed to any office of emolument.
26. Board of aldermen to be final judge of election of its members, and the members of school committee. President of board of aldermen. Special meetings. Mayor not to preside or appoint committees.
27. Board of aldermen may authorize the construction of sidewalks and assess for expense.
28. May fix number and compensation of police force. May grant licenses. General duties of aldermen.
29. President and clerk of common council. Duties of clerk. To be final judge of election of its members.
30. Vacancies in either branch.
31. School committee and overseers of poor, powers and duties. Superintendent of schools. Janitors of school-houses. Overseers of the poor to organize.
32. City council, etc., may employ clerks and attendants.
33. Officers to continue until successors are qualified.

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| <p>34. Heads of departments to appoint subordinates, except chief of police and engineer of fire department.</p> <p>35. Contracts for labor and material. Care of public works and buildings. Executive officers to be accountable to mayor. Contracts exceeding \$200 to be approved by the mayor. No expenditures in excess of appropriation to be made.</p> <p>36. Heads of departments to furnish estimates to mayor. Mayor to submit them, with recommendations, to the city council. City council to make appropriations.</p> | <p>37. Ordinances to remain in force unless inconsistent.</p> <p>38. Not to affect the licensing of railway drivers, etc., the appointment of registrar of voters, metropolitan sewerage system, or the civil service laws. Or the tenure of office of officers now in position. Water board and Cambridge cemetery commissioners.</p> <p>39. Repeal of original charter and amendments, etc., etc. Repeal not to revive any act before repealed.</p> <p>40. Act to be submitted to people for acceptance.</p> <p>41. When to take effect.</p> |
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*Be it enacted, etc., as follows :*

SECTION 1. The inhabitants of the city of Cambridge, in the county of Middlesex, shall continue to be a body corporate and politic under the name of the city of Cambridge, and as such, shall have, exercise and enjoy all the rights, immunities, powers and privileges, and shall be subject to all the duties and obligations provided for herein, or otherwise pertaining to said city as a municipal corporation.

SECT. 2. The administration of the fiscal, prudential and municipal affairs of said city, and the government thereof, shall be vested in a mayor and a city council, which shall consist of a board of aldermen consisting, until the municipal year beginning on the first Monday in January in the year eighteen hundred and ninety-three, of ten members, and thereafter of eleven members, and a common council consisting of twenty members. Each branch shall sit separately, except when required to meet in joint convention by the provisions of this charter or by a concurrent vote. The qualified voters of the whole city shall elect from among their number the mayor and aldermen. The city council shall apportion the members of the common council among the several wards as nearly as may be on the basis of population, and the qualified voters of each ward shall elect from among their number the members of the common council to which it shall be entitled on such apportionment.

SECT. 3. The city shall continue to be divided into five wards, which shall retain their present boundaries until the same shall be changed under the general law relating thereto. The present apportionment of councilmen shall be retained until October in the year eighteen hundred and ninety-five. The city council shall, in the month of October in the year eighteen hundred and ninety-five and every fifth year thereafter, apportion the members of the common council to the several wards, in accordance with the provisions of the preceding section.

SECT. 4. An annual election for the choice of city officers shall be holden on the Tuesday next following the second Monday in

December, and all officers who are chosen by the qualified voters shall be chosen by ballot; and such officers, except the assessors and the members of the school committee, shall hold their respective offices for the succeeding municipal year; to wit, beginning with the first Monday in January succeeding the annual election and continuing till the first Monday in January of the year following and until others shall be chosen and qualified to act in their stead. The qualified voters of the city shall at each annual election choose one of their number to be assessor for the term of three years, and one person from each ward as a member of the school committee for the term of three years, and shall, at such election, fill for the unexpired term such vacancies as occur at the end of the municipal year.

SECT. 5. All meetings of the qualified voters, for the purpose of voting at elections or for the transaction of municipal affairs, whether in city or in ward meetings, shall be holden in pursuance of warrants for that purpose, which shall be issued by the board of aldermen and shall be in such form and served and returned in such manner and at such time as the city council by ordinance shall direct. The board of aldermen shall issue their warrant for a general meeting of the qualified voters, for any constitutional or legal purpose, whenever requested to do so, in writing, by thirty such voters.

SECT. 6. If at the annual election a mayor or the required number of members of the city council shall not have been elected, or if any person elected shall refuse to accept the office to which he was chosen, the board of aldermen shall make a record of the fact and forthwith issue their warrant for another election; and the same proceedings shall be had as are provided by law for the original election; and the same shall be repeated from time to time until a mayor and the required number of members of the city council shall have been chosen. Whenever a vacancy shall occur in either office by death, resignation or otherwise, the board of aldermen may, and if such vacancy occur prior to the first of July in any year shall, forthwith issue their warrant for a new election. The removal of a person holding office from one ward to another shall not create a vacancy in such office, nor shall a change of ward boundaries create a vacancy in any office.

SECT. 7. The mayor, aldermen and members of the common council shall, before entering upon their offices, be sworn to the faithful performance of their respective duties; and for that purpose shall meet in convention on the first Monday in January in each year at ten of the clock in the forenoon, when such oath may be administered to the mayor elect by any judge of any

court of record in the Commonwealth or by any justice of the peace, and to the aldermen elect and common councilmen elect by the mayor, he being first sworn as aforesaid, or by any justice of the peace. A certificate that such oath has been taken shall be entered in the journals of the board of aldermen and of the common council by their respective clerks. If the mayor or any one or more of the aldermen or common councilmen shall not be present on the first Monday in January to take the oath required of them, the same may be administered to the mayor or aldermen at any meeting of the board of aldermen, and to the common councilmen at any meeting of the common council, thereafter, before entering upon office. A certificate that such oath has been taken shall be entered in the journal of the board at the meeting at which it was administered.

SECT. 8. The executive powers of said city and all the executive powers now vested in the mayor and in the board of aldermen, and in the surveyors of highways, shall be and hereby are, vested in the mayor, to be exercised through the several officers and boards of the city in their respective departments, under his general supervision and control. He shall at all times have the control and direction of the police force. He may call special meetings of the board of aldermen and of the common council, or either of them, when in his opinion the interests of the city require it, by causing the notification to be left at the usual dwelling place of each member of the board or boards to be convened. He shall from time to time communicate to said boards respectively such information, and recommend such measures, as the interests of the city shall in his judgment require. He shall be *ex officio* chairman of the school committee, but shall have no right to vote. The mayor shall cause the laws, ordinances, orders and regulations of the city to be executed and enforced. He shall exercise a general supervision and control over the official acts and conduct of all officers, and take proper action to cause every violation or neglect of duty to be punished. It shall be his duty to secure an honest, efficient, and economical conduct of the entire executive and administrative business of the city and the harmonious and concerted action of the different departments. The mayor may at any time summon heads of departments or subordinate officers for information, consultation, or advice upon the affairs of the city.

SECT. 9. All officers of the city not elected by the qualified voters shall be resident citizens of the city of Cambridge, and shall, except as herein otherwise provided, be appointed by the mayor, subject to confirmation by the board of aldermen, and for such terms respectively as are or may be fixed by law or ordinance,

or, in case of an appointment to fill a vacancy, for the unexpired term. Subject to confirmation, as aforesaid, the mayor shall annually in the month of February appoint one person from each ward to be an assistant assessor for the term of one year, beginning with the first day of March of that year. No appointment made by the mayor shall be acted upon by the board of aldermen until the expiration of one week after such appointment is transmitted to said board, except by unanimous consent of said board.

SECT. 10. The mayor after due hearing may, with the approval of a majority of the board of aldermen, remove any member of the board of overseers of the poor or the board of health, any assistant assessor, any member of the police force or fire department, and any other officer of the city, except the members of the city council and school committee and their clerks and attendants, the principal assessors, the city clerk, the assistant city clerk, the city treasurer, the city auditor, the city messenger, clerk of committees, and city solicitor, for cause assigned by him.

SECT. 11. Every ordinance, order, resolution or vote to which the concurrence of the board of aldermen and of the common council may be necessary, except on a question of the convention of the two branches, and every order of either branch involving expenditure of money, shall be presented to the mayor. If he approve thereof, he shall signify his approval by signing the same, but if not, he shall return the same with his objections to the branch in which it originated, which shall enter the objections of the mayor, at length, upon its records and proceed to reconsider said ordinance, order, resolution, or vote, and if after such reconsideration two-thirds of the board of aldermen or common council, notwithstanding such objections, vote to pass the same, it shall be in force, unless it originally required concurrent action, in which case it shall, together with the objections, be sent to the other branch of the city council, where it shall also be reconsidered, and if approved by two-thirds of such other branch, it shall likewise be in force. In all cases the vote shall be taken by yeas and nays. If such ordinance, order, resolution or vote shall not be returned within ten days after it shall have been presented to the mayor, the same shall be in force. He may except from his approval of any ordinance, order, resolution or vote of which he has the power to vote, any portion involving a distinct item of expenditure; in such case instead of returning the original he shall transmit a copy of such portion not approved, which portion shall be reconsidered in the manner and with the effect above provided. The mayor's approval shall likewise be required to, and he shall have a similar power of

veto, and with like limitations, over any order or vote of the board of aldermen which involves the exercise of any of the powers conferred by law upon the mayor and aldermen, or upon the board of aldermen as a separate board, but nothing herein contained shall affect the powers of said board in relation to votes cast at elections, nor shall the veto power of the mayor extend to elections.

SECT. 12. The mayor shall have sole power to sign, seal, execute and deliver, in behalf of the city, deeds and leases of land sold or leased by the city, and other deeds, agreements, contracts, leases, indentures and assurances on behalf of the city, except as herein otherwise provided.

SECT. 13. The mayor shall cause to be kept a record of all his official acts, and may, without confirmation by the board of aldermen, appoint a clerk, whose compensation shall be fixed by the city council. The mayor shall receive for his services such salary as the city council shall determine, payable at stated periods, and shall receive no other compensation; but such salary shall not be increased or diminished during his term of office.

SECT. 14. All the powers now vested by law in the city of Cambridge, or in the inhabitants thereof as a municipal corporation, except as herein otherwise provided, shall be vested in the city council and shall be exercised by a concurrent vote, each branch having a negative on the other. A majority of each branch shall constitute a quorum for the transaction of business. No member of either branch shall receive any compensation for his services. All sittings of the city council, or of either branch thereof, except for the consideration of candidates for election and except the sittings of the board of aldermen for consideration of appointments by the mayor, shall be public. But all votes on elections and on confirmations shall be taken in public.

SECT. 15. The city council shall have power to make ordinances and to fix penalties therein, as provided herein and by general law, which shall take effect from the time therein limited, without the sanction or confirmation of any court or justice thereof. All city ordinances shall be duly published, and in such newspaper or newspapers in said city as the city council shall direct. The city council may also by ordinance regulate the loads of vehicles using the streets of said city, and provide for the appointment, in accordance with the provisions of section nine, of public weighers, measurers and surveyors, surveyors of mechanics' work, inspectors of junk shops and of junk collectors, inspectors of pawnbrokers and of dealers in second-hand articles, and other needful officers, and define their powers and duties, and fix their compensation.



SECT. 16. The city council shall have exclusive authority, subject to the veto power of the mayor, to lay out, alter, discontinue or fix the grade of any highway, street or town way, and to take land therefor and for the construction of public drains and common sewers, and to estimate the damage which any person shall sustain thereby, but action upon said matters shall be first taken by the board of aldermen. Any person dissatisfied with the decision of the city council in the estimate of damages may, within one year thereafter, make complaint and application for a jury to the superior court in the county of Middlesex, upon which application the same proceedings shall be had as are or may be provided in sections one hundred and five, one hundred and six, one hundred and seven and one hundred and eight, of chapter forty-nine of the Public Statutes, or any acts in amendment thereof.

SECT. 17. The city council may establish a fire department, with such officers, apparatus and regulations for the government thereof as shall from time to time be prescribed by ordinance not inconsistent with this act. The engineers of the fire department shall have the powers of fire wards and all powers conferred by section four of chapter thirty-five of the Public Statutes, in like manner as if said city had accepted said section.

SECT. 18. The city council shall take care that no money shall be paid out from the city treasury unless previously granted and appropriated, and shall secure a just and proper accounting, in such manner as they may direct, from all boards and officers intrusted with the receipt, custody or disbursement of the moneys or funds of the city. The city council shall publish, once in every year at least, for the use and information of the inhabitants, a particular account of the receipts and expenditures of the city and a schedule of the property and debts of the city; the mayor and all officers and boards of the city shall make for such purpose such reports as the city council may request.

SECT. 19. The city council shall annually in the month of February by concurrent vote, the board of aldermen acting first, elect by a ballot a city clerk and assistant city clerk, each of whom shall be sworn to the faithful discharge of his duties and shall hold his office for one year from the first day of March of that year, and until another shall be chosen and qualified, but may be removed, however, at the pleasure of the city council. The city clerk shall be *ex officio* clerk of the board of aldermen. He shall keep a journal of the votes and proceedings of the aldermen, and also of the city council when sitting in convention, and shall perform such other duties as the aldermen and the city council

may prescribe. He shall also perform all the duties and exercise all the powers usually pertaining to said office. He shall deliver up to his successor in office, as soon as chosen and qualified, all journals, records, record books, papers, documents or other things kept or held by him in his capacity of city clerk. The city council shall also annually in the month of April, by concurrent vote, the board of aldermen acting first, elect by ballot a city messenger and clerk of committees, each of whom shall hold office for one year from the first day of May of that year, and until another is chosen in his place, subject to removal at any time, by the city council.

SECT. 20. The city council shall also annually in the month of February, by concurrent vote, the board of aldermen acting first, elect by ballot a city treasurer, who shall be the collector of taxes, and a city auditor, each of whom shall be sworn to a faithful discharge of his duties, and shall hold his office for one year from the first day of March of that year, and until another shall be chosen and qualified, but may be removed, however, at the pleasure of the city council. The treasurer and auditor shall deliver up to their respective successors in office as soon as chosen and qualified, or to any person designated by the city council, on their ceasing to fill such office, all books, funds, papers or other things kept or held by them as such officers. The city council shall also annually in the month of April, by concurrent vote, the board of aldermen acting first, elect a solicitor for the city of Cambridge, who shall be a resident citizen of Cambridge and an attorney and counsellor of the courts of the Commonwealth, and who shall hold office for one year, but may be removed, however, at the pleasure of the city council.

SECT. 21. The city council shall annually in the month of March elect one person to be a member of the board of overseers of the poor, for the term of five years beginning with the first Monday in May of that year.

SECT. 22. The city treasurer of the city of Cambridge may, as collector of taxes, appoint such deputy collectors of taxes as he may from time to time deem expedient, who shall give bonds with sufficient sureties for the faithful discharge of their duties, in such sums as the board of aldermen of said city shall from time to time prescribe, and such deputies shall have the same powers as collector of taxes of towns. He shall as such collector have all special powers conferred on a treasurer appointed collector by vote of a city council.

SECT. 23. All fees, charges and commissions of every kind and description allowed by law for the collection of taxes, betterments, rates and assessments of every kind, to any person or

persons authorized to collect the same, upon any warrant or other command hereafter directed to the treasurer and collector of the City of Cambridge, in his capacity as treasurer or as collector, or as both treasurer and collector, shall be collected and paid into the treasury of said city and shall be the property of said city. The city may pay to such persons such compensation for services as the city council shall from time to time determine.

SECT. 24. The city council shall, in joint convention, fill for the remainder of the municipal year all vacancies which shall at any time arise in the board of assessors.

SECT. 25. Neither the city council nor either branch thereof, nor any member or committee thereof, or of either branch thereof, nor the board of aldermen acting in any capacity in which said board may act separately under special powers conferred upon it, nor any member or committee of said board acting in any such capacity, shall directly or indirectly take part in the employment of labor, nor, except as otherwise provided in this act, in the appointment or removal of any officers or subordinates for whose appointment and removal provision is herein made. No person shall be eligible for election or appointment to any municipal office by the mayor or city council, or either branch thereof, the salary of which office is payable from the city treasury, during the term for which such person was chosen as member of the city council.

SECT. 26. The board of aldermen shall be the final judge of the election and qualification of its members and of the members of the school committee. The board of aldermen shall choose one of its members as president, who shall preside at the meetings of the board and at joint conventions of the two branches of the city council. He may at any time call a special meeting of the board of aldermen by causing a notice to be left at the usual dwelling place of each member. The mayor shall not be a member of, nor preside at any of the meetings, nor appoint any of the committees of the board of aldermen.

SECT. 27. The board of aldermen may authorize the construction of sidewalks or the completion of any partially constructed sidewalk in said city. Such sidewalks may be with or without edgestones, and covered with brick, flat stones or concrete; and the expense of such edgestones and covering materials shall be assessed upon the abutting lands in just proportions, and shall constitute a lien thereon and be collected in the same manner as taxes on real estate. Such sidewalks when constructed and covered with brick, flat stones or concrete, as aforesaid, shall afterwards be maintained at the expense of the city.

SECT. 28. The board of aldermen shall from time to time fix

the number and compensation of the members of the police force, and establish general regulations for its government. They shall have power to grant licenses to innholders, victuallers and retailers, and to grant other licenses for which provision is or shall be made by general law or ordinance, and may at any time revoke any license granted by them. They shall do all acts and perform all the duties which the selectmen of towns or the boards of aldermen of cities are by law required to do and perform, unless otherwise provided by general law or in this act.

SECT. 29. The common council shall choose one of its members as president, who shall preside at its meetings, and shall choose a clerk, who shall be sworn to the faithful discharge of the duties of his office and shall hold office during the pleasure of the council. The clerk so chosen and qualified shall attend the common council when in session and keep a journal of its acts, votes and proceedings, and perform such other service in such office as the council may require. The common council shall be the final judge of the election and qualification of its members.

SECT. 30. The city council, the board of aldermen, and the common council may respectively fill for the unexpired term any vacancy arising by reason of the death, resignation or removal of any officer elected by them.

SECT. 31. The school committee and overseers of the poor shall respectively perform all such duties as the school committee and overseers of the poor in towns are required by law to perform. The school committee shall annually elect a superintendent of schools and the teachers of the public schools, any of whom shall be removable by vote of the committee. The mayor shall appoint the janitors of school-houses, subject to confirmation by the school committee, and may remove them at pleasure for cause assigned; and such janitors shall perform their duties under the direction of the school committee. The overseers of the poor shall annually on the first Monday of May meet and organize and shall choose such subordinate officers and agents as they may deem expedient, and define their duties and fix their salaries; but no members of the board shall be eligible to be chosen by said board to any position of emolument.

SECT. 32. The city council, the board of aldermen, the common council, and the school committee, may severally employ such clerks and attendants as they may deem proper for the suitable conduct of their business, and may remove the same at pleasure.

SECT. 33. Every officer of the city shall, unless sooner removed, continue after the expiration of his term of service to hold his office until his successor is appointed or elected and duly qualified.

SECT. 34. All heads of departments and boards of the city, except the chief of police and the chief engineer of the fire department, shall appoint their respective subordinates, for such term of service, respectively, as are or may be fixed by law or ordinance, which appointments shall be forthwith certified by them to the mayor; the said officers and boards may remove such subordinates for such cause as they shall assign in writing in the order for removal, which order shall be forthwith communicated to the mayor.

SECT. 35. The several executive boards of the city and officers at the head of departments shall in their respective departments make and execute all necessary contracts for the employment of labor, the supply of materials, and the construction, alteration and repair of all public works and buildings, and have the entire care, custody and management of all public works, institutions and buildings, and other property, and the direction and control of all the executive and administrative business of said city. All executive boards and officers shall be at all times accountable for the proper discharge of their duties to the mayor as the chief executive officer. They and all subordinate officers shall at all times furnish such information as to matters under their control as the mayor or the city council may request. Every contract made in behalf of the city, in which the amount involved exceeds three hundred dollars, shall require the approval of the mayor before going into effect. No expenditures shall be made and no liability shall be incurred or be binding upon the city for any purpose beyond the appropriation previously made therefor. This section shall in no wise be construed as limiting or restricting the powers given to the school committee by the Public Statutes or any amendments thereto.

SECT. 36. The heads of departments and all other officers and boards having authority to expend money shall annually before the twentieth day of January, furnish an estimate to the mayor of the money required for their respective departments and offices for one year beginning with the first day of December preceding, and the mayor shall examine such estimates and submit the same with his recommendations thereon to the city council on or before the first day of February. The city council shall thereupon make the appropriation for the financial year beginning with the first day of December preceding.

SECT. 37. All ordinances of the city of Cambridge, or portions thereof, inconsistent with the provisions of this act are annulled, but such portions as are not inconsistent herewith are continued in force until amended or repealed by the city council.

SECT. 38. Nothing contained herein shall affect the provisions

of chapter one hundred and eight of the acts of the year eighteen hundred and eighty-six, of chapter seventy of the acts of the year eighteen hundred and eighty-eight, of chapter four hundred and thirty-nine of the acts of the year eighteen hundred and eighty-nine, or the enforcement of the provisions of chapter three hundred and twenty of the acts of the year eighteen hundred and eighty-four or of acts in amendment thereof, or of the rules made by the commissioners appointed thereunder, and none of the provisions of this act, except those relating to the power of removal, shall affect the tenure of office of any person now holding any office or position in the city, or the present powers of the board of health therein. Except as herein provided, the Cambridge water board and the commissioners of the Cambridge cemetery shall continue to have and exercise all powers, and be subject to all duties now conferred or imposed upon them by law or ordinance until the same shall be modified or repealed.

SECT. 39. Chapter one hundred and thirty-nine of the acts of the year eighteen hundred and thirty-two, chapter eighty-seven of the acts of the year eighteen hundred and thirty-five, chapter one hundred and nine of the acts of the year eighteen hundred and forty-six, chapter ninety-nine of the acts of the year eighteen hundred and fifty-one, chapter one hundred and fifty-five of the acts of the year eighteen hundred and fifty-three, the provisions of section one of chapter forty-four of the acts of the year eighteen hundred and fifty-five relating to method of appointment and removal of cemetery commissioners, and of section three of said chapter relating to execution of deeds by the city clerk, chapter one hundred and twelve of the acts of the year eighteen hundred and fifty-six, chapter seventy-five of the acts of the year eighteen hundred and fifty-seven, chapter one hundred and thirty-seven of the acts of the year eighteen hundred and fifty-nine, chapter one hundred and ninety-one of the acts of the year eighteen hundred and sixty-three, chapter sixty-eight of the acts of the year eighteen hundred and sixty-seven, chapter three hundred and thirty-six of the acts of the year eighteen hundred and sixty-nine, chapter two hundred and twenty-nine of the acts of the year eighteen hundred and seventy, chapters three hundred and thirty-seven and three hundred and forty-five of the acts of the year eighteen hundred and seventy-three, chapter forty-one of the acts of the year eighteen hundred and seventy-seven, chapter one hundred and two of the acts of the year eighteen hundred and seventy-eight, chapter one hundred and ninety of the acts of the year eighteen hundred and seventy-nine, chapters one hundred and three, one hundred and ninety-three, and two hundred and thirteen of the acts of the year eighteen hundred

and eighty-six, and chapter two hundred and sixty of the acts of the year eighteen hundred and ninety are hereby repealed; but such repeal shall not revive any act heretofore repealed, nor shall the repeal of said acts or the annulling of ordinances inconsistent herewith affect any act done, liability incurred, or any right accrued or established, or any suit or prosecution, civil or criminal, to enforce any right or penalty or punish any offence under the authority of said acts or ordinances.

SECT. 40. This act shall be submitted to the qualified voters of the city of Cambridge for acceptance at the next annual municipal election held therein, and the affirmative votes of a majority of the voters present and voting thereon shall be required for its acceptance.

SECT. 41. So much of this act as authorizes the submission of the question of its acceptance to the voters of said city shall take effect upon its passage, but it shall not further take effect unless accepted by the voters of said city as herein provided.





**REVISED ORDINANCES**

**1892.**



# CITY OF CAMBRIDGE

IN THE YEAR EIGHTEEN HUNDRED AND NINETY-TWO

*Be it ordained by the City Council of the city of Cambridge, as follows:—*

## CHAPTER 1.

### GENERAL PROVISIONS.

SECTION 1. All by-laws of the city shall be termed ordinances; and the enacting style shall be, "Be it ordained by the city council of the city of Cambridge, as follows."

Ordinances.  
Enacting style  
of.  
P. S. c. 3, § 3,  
cl. 15.  
P. S. c. 27, § 15.  
P. S. c. 28, § 6.

SECT. 2. All ordinances hereafter passed shall be recorded in the order of passage by the city clerk, in a book kept for that purpose, with proper margins and index, to be lettered, "Record of Ordinances of the City of Cambridge;" which book shall be kept in the office of the city clerk, subject to the inspection of the citizens.

Ordinances to  
be recorded.

SECT. 3. All ordinances hereafter passed shall be published by the city clerk by inserting the same once in some newspaper published in the city, and shall be printed with the City Documents of the year next subsequent to the date of their adoption; but this section and section two of this chapter are directory only, and a failure to comply with the same shall not affect the validity of any ordinance.

Printing and  
publication of  
ordinances.  
P. S. c. 27, § 23.

SECT. 4. This ordinance shall be known as the "Revised Ordinances of 1892," and, so far as its provisions are the same in effect as those of previously existing ordinances, it shall be construed as a continuation of those ordinances; but, subject to the said limitation and to the provisions of the next session, all ordinances of the city heretofore in force are hereby repealed;

To be known  
as "Revised  
Ordinances of  
1892."

Not to affect certain ordinances accepting statutes.

but this repeal shall not apply to or affect any ordinance heretofore adopted accepting or adopting the provisions of any statute of the commonwealth.

Not to affect certain rights, penalties, etc.

SECT. 5. This ordinance shall not affect any act done, any right accrued, any penalty incurred, any suit, prosecution, or proceeding pending, or the tenure of office of any person holding office, at the time when it takes effect, nor shall the repeal of any ordinance have the effect of reviving an ordinance theretofore repealed or superseded, or the effect of preventing any punishment or penalty incurred before the repeal took effect, or of interfering with any suit, prosecution or proceeding pending at the time of the repeal, for an offence committed under the ordinance repealed.

Not to affect certain proceedings, tenure of office, etc.

SECT. 6. When in an ordinance anything is prohibited from being done without the license or permission of a certain officer, officers or board, such officer, officers or board, shall have the power to license or permit such thing to be done.

Power to license.

SECT. 7. When anything is prohibited in an ordinance, not only the persons actually doing the prohibited thing, but also the employers and all other persons concerned therein shall be liable to the penalty prescribed.

Employers and other persons liable to penalty.

SECT. 8. The words "street" and "streets," when used in an ordinance, shall be construed as including public ways, alleys, lanes, courts, public squares, public places and side-walks, unless such construction would be inconsistent with the manifest intent of the ordinance.

Construction of the words "street" and "streets."

SECT. 9. The words "public grounds" shall include the common and all public lands placed by the city council under the charge of the Park Commissioners or the Water Board, and those parts of public places which do not form travelled parts of highways.

Construction of the words "public grounds."

SECT. 10. The word "owner" applied to a building or land, shall include any part owner, joint owner, tenant in common, or joint tenant, of the whole or of a part of such building or land.

Construction of the word "owner."

SECT. 11. The word "tenant" or "occupant," applied to a building or land shall include any person who occupies the whole or a part of such building or land either alone or with others.

Construction of the word "tenant" or "occupant."

SECT. 12. The word "person" shall include corporations.

The word "person."

SECT. 13. Words purporting to give a joint authority to three or more officers or other persons shall be construed as giving such authority to a majority of such officers or persons.

Words giving joint authority.

SECT. 14. All fines and penalties for the violation of any ordinance, or any order of the board of alderman, shall, when recovered, inure to the use of the city, and be paid into the city treasury, unless it be otherwise directed by the laws of the commonwealth, or the ordinances of the city.

Fines and penalties shall inure to use of city.  
P. S. c. 27, §§ 19, 130.  
P. S. c. 28, § 26.

SECT. 15. Whoever violates a provision of any ordinance of the city, whether included in these Revised Ordinances or those which may be hereafter enacted, shall, unless other provision is expressly made, be liable to a penalty of not less than one nor more than twenty dollars for each offence.

General penalty for breaches of ordinances. P. S. c. 27, §§ 15, 16.

SECT. 16. The following departments are hereby created, namely :

Creation of the several departments of the city. 1891, c. 364, § 8, new charter.

Assessors department.

Auditing department.

Bridge department.

Cemetery department.

City clerk department.

City messenger department.

Clerk of committees department.

Engineering department.

Fire department.

Health department.

Inspection and construction of buildings department.

Inspection and supervision of electric wires department.

Inspection of milk and vinegar department.

<sup>1</sup> Inspection of provisions and animals intended for slaughter or kept for the production of milk.

Lamp department.

Law department.

Overseers of the poor department.

<sup>2</sup> Park department.

Police department.

Public library department.

Sealer of weights and measures department.

Sewer department.

Sinking fund department.

Street department.

Treasury department.

Water works department.

Each of the several departments shall be under the charge and management of the officers or boards designated in the respective chapters relating thereto, all to be under the general supervision and control of the mayor.

Departments to be under charge of, etc., mayor to have general supervision. 1891, c. 364, § 8.

<sup>1</sup> Amended May 10, 1893.

<sup>2</sup> Amended July 11, 1893.

CHAPTER 2.

THE EXECUTIVE.

Mayor to enforce the laws and ordinances, etc. 1891, c. 364, §§ 8, 35.

SECTION 1. The mayor shall at all times cause the laws of the Commonwealth and the ordinances, orders and regulations of the city to be executed and enforced by the proper officers; shall exercise general supervision and control over the official acts and conduct of all officers, and shall take proper action to cause every violation and neglect of duty on their part to be punished. He may, at any time, summon the heads of departments and subordinate officers before him for information, consultation and advice upon the affairs of the city.

May summon heads of departments. 1891, c. 364, § 8.

May call special meetings of the city council.

SECT. 2. He may call special meetings of the board of aldermen and of the common council, or either, whenever in his opinion the interests of the city so require, by causing a written notice to be left at the usual dwelling-place of each member of the board or boards to be convened.

Shall give information to city council etc. 1891, c. 364, § 8.

SECT. 3. He shall, from time to time, communicate to said boards, respectively, such information concerning the affairs of the city, together with his suggestions and recommendations relating thereto, as the interests of the city shall in his judgment require.

Shall make appointments to fill vacancies, temporary and otherwise. 1891, c. 364, § 9.

SECT. 4. Whenever a vacancy shall occur in an office filled by the appointment of the mayor with the confirmation of the board of aldermen, the mayor shall appoint some person, subject to such confirmation, to hold the office for the remainder of the unexpired term and until his successor is appointed and confirmed, and whenever any person holding such office shall be temporarily disabled from discharging the duties of his office the mayor shall designate some other officer or person to perform the duties of such office during the period of such disability.

Shall approve all bonds of city officers.

SECT. 5. The bond of every city officer of whom a bond is required, and the sureties offered upon the same, shall be approved by the mayor before the officer enters upon the performance of his duties.

All deeds, etc., given by the city to be signed, etc., by the mayor. 1891, c. 364, § 12.

SECT. 6. All deeds, conveyances, leases and other instruments, which shall be given by the city, and which must be signed, sealed and acknowledged, shall be signed and acknowledged and delivered on behalf of the city, by the mayor, who shall affix thereto the city seal. But this provision shall not be construed to prevent any officer from executing any conveyance, lease, contract or other instrument in performing the duties devolving upon him.

Other officers may sign certain instruments.

SECT. 7. Whenever the amount due and payable on any mortgage belonging to the city is paid to the treasurer, he shall certify the same to the mayor, who shall thereupon discharge the mortgage; or he may assign the same, without liability of or recourse to the city, and for that purpose shall execute and deliver all necessary papers.

Mayor shall discharge and assign mortgages.

SECT. 8. When a person entitled to redeem an estate sold for nonpayment of taxes or assessments and purchased by the city, makes application for such redemption, the mayor may, on the payment to the treasurer of the amount due to the city on such estate, execute in behalf of the city any and all legal instruments that may be necessary to transfer the city's title to such estate.

Mayor may release tax titles.

SECT. 9. The mayor shall approve all drafts drawn by the city auditor upon the city treasurer; and with the treasurer and auditor shall sign all bonds, notes and certificates of indebtedness issued for loans to the city authorized by the city council.

Shall approve auditor's drafts.

Shall sign all bonds of the city, etc.

SECT. 10. The mayor shall appoint, subject to confirmation by the board of aldermen, for the terms hereinafter specified and until their respective successors are appointed and confirmed, the following officers, to wit :

Shall appoint certain officers. Appointments shall be confirmed by board of aldermen. 1891, c. 364, § 9.

*In January.*

(For one year from the first Monday in January.)

- One or more measurers of wood and bark.
- Two or more fence viewers.
- Two or more field drivers.
- One pound-keeper for each pound in the city.
- Three persons as a committee for the preservation of fish.
- A superintendent of public buildings.
- A keeper of lock-ups.
- A person to receive information of damage done by dogs.
- Two or more policemen without pay.
- Two or more constables.
- Two or more inspectors of junk shops, pawn-brokers' shops and second hand clothing stores and dealers.
- One or more weighers of hay.
- One or more weighers of coal.
- One or more public weighers.
- One or more weighers of boilers and heavy machinery.
- One or more persons to seize illegal charcoal baskets, measures and vessels.
- An inspector of milk and vinegar.
- One or more measurers of grain.
- One or more measurers and surveyors.
- One or more surveyors of mechanics' work.

What officers are to be appointed by the mayor in January.

Officers appointed by the Mayor in January.

One or more auctioneers.

Two or more undertakers.

<sup>2</sup> One member of the school committee as a trustee of the public library.

(For <sup>1</sup> three years from the first Monday in February.)

A member of the board of health.

(For three years from the first Monday in February.)

Two cemetery commissioners.

(For three years from the third Monday in January.)

Two trustees of the public library.

In February.

*In February.*

(For one year from the first day in March.)

Five assistant assessors, one from each ward.

In March.

*In March.*

(For one year from the first Monday in May.)

A bridge commissioner.

In March or April.

*In March or April.*

(For one year from the first day of April.)

A sealer of weights and measures.

(For four years from the first day of May.)

A registrar of voters.

In April.

*In April.*

(For one year from the first day of May.)

A superintendent of streets.

A superintendent of lamps.

A city engineer.

One or more inspectors of provisions and of animals intended for slaughter, or kept for the production of milk.

(For three years from the first Wednesday in May.)

Two commissioners on the sinking funds of the city.

In June.

*In June.*

(For five years from the thirtieth day of June.)

One member of the water board.

(In January of every third year, beginning with the year 1892, for three years from the first Monday in February.)

A city physician.

<sup>1</sup> Amended April 1, 1896.

<sup>2</sup> Amended Dec. 22, 1892.



SECT. 11. The mayor shall also appoint, subject to confirmation as aforesaid :

Mayor shall appoint a harbor-master, P. S. c. 69, § 25, and an inspector of wires. 1880, c. 404.

A harbor master who shall hold office until the appointment of his successor, and an inspector of wires who shall hold office until removed.

SECT. 12. In all removals of officers of the city by the mayor, he shall assign the cause of removal in writing, and shall fully state such cause in the records of his office.

Shall record causes of removal of officers.

SECT. 13. He shall appoint one or two police matrons for each police station which he shall designate as a station for the detention and confinement of all women under arrest.

Shall appoint police matrons. 1887, c. 234.

SECT. 14. He shall designate some suitable person or persons, other than the overseers of the poor or persons employed by them, to cause to be properly interred the bodies of honorably discharged soldiers and sailors who may die in the city without leaving sufficient means to defray funeral expenses, as provided by Chapter three hundred and ninety-five of the acts of the year eighteen hundred and eighty-nine.

Shall designate person to inter deceased soldiers, without means. 1889, c. 395.

SECT. 15. He shall also appoint, subject to the confirmation of the board of aldermen as aforesaid, proper persons to fill vacancies in the police and fire departments of the city.

Shall appoint to vacancies in police and fire departments. 1891, c. 364, § 9.

SECT. 16. Whenever the mayor shall be notified by the city engineer that any building or structure has been placed within the lines of a public street, or so that it may cause injury or inconvenience to a public street, he shall forthwith issue an order to the party offending, directing that the said building or structure be removed within a certain specified time, and in case of non-compliance the mayor shall direct that the incumbrance be removed at the expense of the delinquent.

When building within the lines of a street, the mayor shall attend to its removal.



# ORDINANCES

CONSTITUTING AND REGULATING THE SEVERAL

# DEPARTMENTS

OF THE CITY.



CHAPTER 3.

ASSESSORS.

SECTION 1. The assessors' department shall be under the charge of the board of assessors, who shall have and exercise all the powers, and be subject to all the duties and limitations of assessors of taxes, and shall devote their entire time to the duties of the office.

Assessors department in charge of the board of assessors.

Vacancies which shall at any time arise in the board of assessors shall be filled for the remainder of the municipal year by the city council in joint convention.

Vacancies.

SECT. 2. The assessors shall keep a full and complete record of the name of each male person of twenty years of age and upwards, and the names of all women twenty years of age and upwards, who shall request in writing over their own signatures to be assessed for a poll tax, having a residence in the city of Cambridge, together with the residence of each of such persons on the first day of May of the present year and of the preceding year; they shall also keep a record of all abatements, in a book provided for that purpose, which record shall contain the names of the persons whose taxes are abated, the amount of their taxes as originally assessed, the amount abated and the reasons for each abatement.

Duties.

Record of abatements of taxes.

SECT. 3. They shall make out and deliver to the city collector, on or before the first day of September in each year, lists of all taxes assessed, together with a warrant for the collection of the sums named therein; and on or before the first day of every ensuing month they shall deliver lists of all additional or supplementary assessments made during the preceding month, together with warrants for their collection.

Warrant to the collector, for collection of taxes. P. S. c. 11, § 62.

SECT. 4. The assessors shall render to the city auditor at the time when they send any tax list to the city collector, a statement of the amount of such tax list, so far as the amounts thereof have not been included in any statement previously made to him; such statement shall also include the amount of taxes which have been abated during each month, giving the year in which the taxes abated were laid.

Statement to auditor of the amount of the tax list. P. S. c. 11, § 76.

SECT. 5. The assessors shall forthwith forward to the city collector all certificates of abatements allowed by them.

P. S. c. 11, § 69.

Apportion-  
ment of sewer  
and sidewalk  
assessments.  
P. S. c. 50, § 25.

SECT. 6. Whenever the board of aldermen shall apportion a sewer or sidewalk assessment, and certify such apportionment to the assessors, the assessors shall for each of the three years next ensuing add one of the parts of said apportionment, with interest from the date of the same, to the annual tax of the real estate of the person to whom such assessment is assessed.

CHAPTER 4.

AUDITING.

SECTION 1. The city auditor shall have charge of the auditing department of the city. He shall hold his office for the term of one year, from the first day of March in the year of his election and until his successor is elected and qualified. He shall receive such salary as the city council shall from time to time determine. Whenever said office shall be vacant, the city council shall fill the vacancy in the same manner as provided for the annual election.

Auditing department in charge of city auditor.

Term of office.

Vacancy.

SECT. 2. He shall give a bond in such a form as the city solicitor shall approve, with sufficient sureties, to be approved by the mayor, in a sum not less than ten thousand dollars, which bond shall be executed, approved and delivered before he enters upon the duties of his office, and within ten days after his election. Should he fail to give such bond within the time herein required, the election shall be void, and a new election shall be had forthwith. In case of the death or insolvency of any of the sureties on a bond so given, the auditor shall immediately notify the mayor and give a new bond, with sufficient sureties, as hereinbefore provided; and if he fails to give such new bond within a reasonable time after notice to do so, it shall be sufficient cause for his removal from office. His bond shall be placed in the custody of the city treasurer, but the bonds of all other officers of the city, when not otherwise provided by law, and all bonds given to the city to secure contracts, shall be kept in the custody of the auditor, who shall keep a register of the dates, amounts and sureties on all such bonds, and notify the mayor whenever any such bond expires, or he is of opinion that its security is in any manner impaired.

Shall give bond.

His election to be void on failure to give bond in ten days. When new bond to be given.

Custody of his bond.

Custody of all bonds of city officers.

SECT. 3. Before money is paid out of the city treasury, a requisition therefor in writing, with detailed accounts attached, specifying the amount to be paid, and the party or parties to whom the payment is due, shall be made by the board or head of department incurring the expenditure, upon the auditor. The auditor shall receive all such requisitions, accounts and claims rendered against the city, which have been approved and certified as provided in section twelve of this chapter, and carefully examine the same; shall see that they are correctly cast and approved, neatly folded, filed, labeled and recorded. In case of any error or infor-

Requisition to be made in writing for all moneys drawn from city treasury.

Auditor's duties.

Auditor's  
duties.

mality, he shall make note of the fact, and return the bill or demand with the objections, to the officer or board presenting the same, and when the auditor has any doubt concerning the propriety or correctness of such bill or account, if it be not satisfactorily explained, he shall refer the same at once to the mayor for consideration and final decision. He shall keep a book in manner and form acceptable to the committee on accounts, wherein he shall record the date and amount of every account and claim against the city presented as aforesaid, and as finally corrected and allowed, and also the name of the person to whom the same shall be allowed, designating the fund or appropriation from which the same shall be paid. When the regular monthly bills due from the city for services rendered or supplies furnished shall have been recorded by the auditor, and examined by the committee on accounts, the draft or order upon the treasurer for the payment of the aggregate amount of the bills aforesaid shall be signed by the mayor, and countersigned by the auditor. The auditor shall give his certificates for all bills approved as aforesaid to the treasurer, which certificate shall specify the number of the bill as it appears on the auditor's book, the account or appropriation to which the bill is chargeable, the name of the person or persons authorized to receive the amount due, together with the amount duly approved and payable to said person. Said certificate shall be signed by the auditor, and upon presentation shall be paid by the treasurer. The form of such certificate shall be as follows:—

#### CITY OF CAMBRIDGE.

##### OFFICE OF THE CITY AUDITOR.

TO THE CITY TREASURER:— I hereby certify that \_\_\_\_\_ is entitled to receive from the city of Cambridge, \_\_\_\_\_ dollars for approved bill, No. \_\_\_\_\_, on Mayor's draft, No. \_\_\_\_\_.

You will charge the above amount to

*City Auditor.*

The auditor shall receive from the treasurer and carefully hold all bonds, notes, scrip and other certificates of indebtedness together with coupons issued by the city, and executions against the same after they have been paid, and shall keep a registry thereof. Immediately upon receiving any bond, note, scrip, coupon, execution or other certificate of indebtedness from the treasurer, the auditor shall deliver to him a check or other order for the payment of the same.

SECT. 4. There shall be appointed in the month of January annually, a joint standing committee on accounts, to consist of two members of the board of aldermen, and three members of the

Form of the  
auditor's cer-  
tificate to the  
treasurer.

Committee on  
accounts.



common council; which committee shall meet on or before the eighth day of each month, and carefully examine all accounts and claims against the city which shall be laid before them by the auditor, and compare them with his record.

Duty of the committee on accounts.

The committee on accounts shall direct the auditor, the treasurer and collector, and other officers of the city, and heads of departments, as to the manner in which the books, records, accounts and papers belonging to their several departments shall be kept, and at the end of each financial year said committee shall make a report to the city council of the condition of all said accounts and the manner in which they have been kept during the year just closed.

Annual report of the committee on accounts

SECT. 5. The mayor is hereby authorized to draw orders on the treasurer for the payment of all accounts and claims approved and certified as provided in the preceding sections and no other; *provided, however*, he may draw his order to pay any sum not exceeding three-fourths of the amount then due, by way of advance on contracts made, or on work begun and not completed, upon being satisfied of the necessity therefor by a certificate signed by the board or head of department controlling the expenditure, within the sum especially appropriated therefor by the city council, or draw his order for any sum upon the express order of the city council; and *provided* further that he shall draw his order for the weekly payment of the wages of such employees as are entitled by law to be paid weekly; the amounts of such wages to be entered upon pay-rolls which shall be certified to as correct by the heads of the respective departments, except where a department is under the charge of an executive board, in which case they shall be so certified by some officer designated by said board; all such amounts to be within the appropriation to which the same shall be chargeable; and *provided* further that he shall draw his order for the payment of the salaries of the teachers of the public schools, and the sums due for state and military aid; the amounts of such salaries to be entered upon pay-rolls which shall be certified to be correct by the school committee, and the amounts of such sums for state and military aid to be entered upon pay-rolls, which shall be certified to be correct by the committee on soldiers' aid, and approved by the board of aldermen; such amounts to be within the appropriation to which the same shall be chargeable.

Drafts upon the treasurer.

Drafts on account of contracts.

Drafts for weekly payments of employes.

Drafts for school teachers' salaries.

And *provided* further, that he may from time to time, draw his orders upon the treasurer for the payment of such sums as he may deem necessary, to be paid out of any appropriation which may be made and set apart by the city council as a fund to meet emergencies, but never to exceed the amount of such appropriation.

Drafts from emergency fund.

Treasurer may pay judgments, bonds, notes, etc.

SECT. 6. No money shall be paid out of the city treasury except upon the written order of the mayor, addressed to the treasurer, countersigned by the auditor; *provided, however*, that the treasurer may pay, before such order is drawn, any sum of money due on the principal or interest of any note, bond or other security of the city, or on any judgment against the city, and also refunds certified by the water registrar.

Auditor to require persons to be identified.

SECT. 7. The auditor shall require complete identification of all persons seeking to receive settlement of bills and claims due from the city, and he shall give his certificate to no person other than the one named in the bill, or order transmitted to him, or his duly authorized agent or attorney.

Method of keeping his accounts.

SECT. 8. The auditor shall keep his accounts in such form and in such detail as may be necessary to a clear exhibit of all expenditures and receipts. He shall credit each city account with its appropriation for the financial year, and with all revenue received on account of the same, and charge against the same the expenditures as they shall, from time to time be allowed. Whenever an appropriation for any account is expended he shall immediately give notice thereof to the mayor and the city council, and he shall not pass or allow any claim or account chargeable against such appropriation, until the city council provides the means of paying the same. The auditor shall once in each month prepare a statement, and furnish the mayor and each member of the city council a printed copy thereof, showing the condition of each city account, giving amount of appropriations and receipts, expenditures, and unexpended balances under the same.

Shall notify the mayor when an appropriation is expended.

Shall furnish monthly statements to the mayor and the city council.

SECT. 9. The auditor shall countersign all the bonds, notes and certificates of indebtedness issued for loans to the city, authorized by the city council, and also all orders drawn by the mayor on the treasurer, as provided in section five of this chapter. He shall report to the city council during the month of December in each year, the expenditures and receipts during the preceding financial year, giving in detail the amount of appropriations and expenditures, and the receipts from each source of income; and the whole shall be arranged, as far as practicable, so as to conform to the accounts of the treasurer. He shall include in said report a statement of the funded and temporary loans, and the rate of interest thereon, and shall exhibit all the liabilities and assets as shown on the books in his office at the close of the financial year.

Shall make an annual report to the city council.

Financial year to begin on December first.

The financial year shall begin on the first day of December, and the auditor shall make up his accounts to include the last day of November annually.

SECT. 10. Whenever any order is drawn upon the city treas-

urer by the mayor, the auditor shall charge it under the appropriate head of expenditure, and report the same and the amount thereof to the committee on accounts at its next meeting.

Auditor shall report orders to committee on accounts.

SECT. 11. The pay-rolls of city employees shall be made up each Saturday for the whole week, including that day, and the pay-days at the city hall for such employees shall be every Thursday, except in case such day occurs upon a legal holiday, when the next preceding day shall be the pay-day. Other pay-rolls shall be made up to include the last day of each month; and the pay-day for the same and for bills shall be on the tenth of each month, or the day following if such occurs on Sunday or a legal holiday; and all executive boards shall hold regular meetings within the last seven days of each month for the examination and approval of bills, including pay-rolls certified as provided in section five of this chapter.

Pay-rolls of employees.

Other pay-rolls.

Meetings of executive boards.

SECT. 12. Executive boards and heads of departments shall approve all accounts and claims in their respective departments, shall keep a record of all contracts and obligations entered into by them, the dates of the same, with the names of the parties and the amounts of such contracts and obligations, when the same are known, and also of the names of the persons whose bills are approved, and of the dates and amounts of said bills. Heads of departments and a majority of each of said boards, except the school committee, shall certify, by their signatures upon such bills, their approval of the same, present them to the appropriate committee of the city council for inspection, and pass them to the auditor on or before the morning of the first day of each month. All bills approved by the school committee shall be certified by the secretary, and at least three members of that board. No bill shall be approved by any board<sup>1</sup> except the school committee, except at a meeting of which all the members have been notified, and at which there is a majority present.

Executive boards and heads of departments to approve accounts.

Shall certify their approval.

Approval of bills by the school committee.

When any committee of the city council has any doubt concerning the propriety or correctness of a bill presented to it for inspection, it shall, if the same be not satisfactorily explained, indorse its disapproval thereon, and report the fact of such disapproval, with the reasons therefor, to the city council at the next meeting.

SECT. 13. The auditor may, with the approval of the mayor, in a writing deposited with the treasurer, designate a subordinate of his department who shall for such time, not exceeding thirty days from the date thereof, as shall be set forth in the designation, perform all the duties of the auditor, who shall be responsible for all acts performed by such subordinate while performing such duties.

Sub-auditor.

<sup>1</sup> Amended April 20, 1899.

CHAPTER 5.

BRIDGE.

Bridge department in charge of the commissioner of bridges.

SECTION 1. The bridge department shall be under the charge of the commissioner of bridges, who shall have the care and management on the part of this city of the West Boston, Craigie's, Harvard and Prison Point bridges. He shall hold office for the term of one year from the first Monday in May in the year of his appointment and until his successor is appointed. He may be removed by the mayor, after due hearing, with the approval of a majority of the board of aldermen. A vacancy may be filled for the unexpired term at any time in the same manner as provided for the original appointment.

Term of office.

Removal.

Vacancy.

Powers and duties.

SECT. 2. He shall have and exercise all the powers in relation to the care and management of the bridges, conferred by the three hundredth and three hundred and second chapters of the acts of the year eighteen hundred and seventy, and chapter one hundred and fifty-five of the acts of the year eighteen hundred and eighty-two, and of any and all other bridges which may at any time be placed in his charge by the city council.

Shall make annual report to the city council.

SECT. 3. He shall annually, in December, report to the city council a particular account of all expenditures, the property on hand, the number of times the draws have been opened, and other matters of general interest in relation to said bridges, for the previous year, with an estimate of the amount required of the city for the care and maintenance of said bridges for the year ensuing.

CHAPTER 6.

CEMETERY.

SECTION 1. The cemetery department shall be under the charge of a board of six commissioners to be styled cemetery commissioners, two of whom shall be appointed in the month of January of each year, by the mayor, subject to confirmation by the board of aldermen, to hold their office for the term of three years from the first Monday of the February following their appointment. A vacancy in said board may be filled for the unexpired term at any time in the same manner as provided for the original appointment.

Cemetery department in charge of the cemetery commissioners.  
1855 c. 44.  
1865 c. 225.  
1891 c. 364, § 38.  
Term of office.  
Vacancies.

SECT. 2. Said board shall have the care, superintendence, and management of the Cambridge cemetery, so called, and also of the burial ground on Garden street.

Duties.

SECT. 3. Said board of commissioners shall have authority to sell rights of burial in the Cambridge cemetery, but all deeds and conveyances shall be executed by the mayor in the name of the city, and recorded by the city clerk in a book kept for that purpose.

Authority.  
Deeds of lots to be made by the mayor.

SECT. 4. The commissioners shall annually, in the month of December, make and render to the city council a report of all their acts, doings and proceedings, and of the condition of the said cemetery and burial ground, and an account of their receipts and expenditures for the year ending November thirtieth.

Annual report.

SECT. 5. Whenever the board of commissioners of the Cambridge cemetery, or any person or persons authorized by that board, shall certify in writing to the treasurer that a certain sum of money, not less than fifty nor more than five hundred dollars, is sufficient to warrant the board in assuming the preservation and care of any lot or grave in the Cambridge cemetery, the treasurer shall receive such amount, if offered by the person or persons owning such lot or grave, and pay the interest thereof to the said board for the preservation and care of the same as provided by section four of chapter twenty-five of the ordinances of the city.

Perpetual care of lots in the Cambridge cemetery.  
P. S. c. 82, § 17.

SECT. 6. All sums of money which the board of commissioners of the Cambridge cemetery shall receive from the city treasurer as interest upon sums which have been paid by owners for the perpetual care of lots and graves in the Cambridge cemetery, shall be faithfully applied by said board in accordance with the notices of the city treasurer designating the particular lots and graves on account of which the several payments have been made.

Money paid for perpetual care of lots, how applied.

Fund for  
perpetual care  
of lots.

SECT. 7. The fund so created shall be denominated the "cemetery fund for the perpetual care of lots."

Deeds in trust.

<sup>1</sup>SECT. 8. Proprietors of lots may, upon forms prescribed by the board of cemetery commissioners, reconvey said lot or lots to the city of Cambridge; and the board of cemetery commissioners may accept the same, for and in behalf of the city of Cambridge, upon certain trusts in said deed of reconveyance to be expressly mentioned. But in no event shall any such deed of reconveyance be accepted as aforesaid, unless and until there shall be deposited with and held by the city treasurer, in accordance with section 4 of chapter 25 of the revised ordinances, a sum sufficient, in the opinion of the board of cemetery commissioners, to provide for the perpetual preservation and care of such lot or lots and their several respective appurtenances, including the care of the grass, resodding, erecting, placing, keeping in repair, and the renewal of any tomb, curb, monument, headstone, and fence now or hereafter to be placed on said lot or lots. Any proprietor, so reconveying any lot or lots as aforesaid to the city, may in said deed reserve to himself and to such as may be beneficiaries thereunder the right of admission and such supervision as to the board of cemetery commissioners may seem proper, and as may not be inconsistent with the rights which have vested in said city of Cambridge.

<sup>1</sup> Amended March 29, 1894.

CHAPTER 7.

CITY CLERK.

SECTION 1. The city clerk department shall be under the charge of the city clerk, who shall hold his office for the term of one year from the first day of March in the year of his election and until his successor is elected and qualified. He shall have the care and custody of the city records and of all documents, maps, plans and papers of the city, respecting the care and custody of which no other provision is made. He shall attend all meetings of the board of aldermen, and all meetings of both branches of the city council, when met in convention, and he shall keep records of the proceedings at all such meetings.

City clerk department in charge of city clerk.  
P. S. c. 27, § 78.

Term of office.

Duties.  
P. S. c. 28, § 2.  
1891, c. 364, § 19.

SECT. 2. The city clerk shall give to the city a bond, with sufficient sureties, in the sum of three thousand dollars, in such form as shall be satisfactory to the city solicitor, and subject to the approval of the mayor, which bond shall be executed, approved and delivered before he enters upon the duties of his office, and within ten days after his election. Should he fail to give such bond within the time herein required, the election shall be void, and a new election shall be had forthwith. In case of the death or insolvency of any of the sureties upon any bond so given, the city clerk shall immediately notify the mayor and give a new bond, with sufficient sureties, as hereinbefore provided; and if he fails to give such new bond within a reasonable time after notice to do so, it shall be sufficient cause for his removal from office.

Shall give a satisfactory bond.

Election to be void if bond not given.

New bond, when to be given.

SECT. 3. The city clerk shall notify the auditor of all orders passed by the city council or board of aldermen, authorizing appropriations, expenditures, assessments, apportionments or abatements, immediately after such orders are approved. He shall also report to him daily all amounts received by him, and paid to the treasurer, on account of licenses or fees of any description. He shall pay over to the treasurer daily all moneys received by him on account of licenses or fees of any description. He shall report to the treasurer all orders for sewer and sidewalk assessments, and all apportionments and abatements thereof, immediately after such orders are approved. <sup>1</sup>Six months before the expiration of the time when an assessment of betterments for any street improvement must be made, he shall notify the city council of the date of said expiration.

Shall give notice to the auditor of money orders, etc.

Shall pay daily to treasurer all moneys received. Shall report sewer and sidewalk abatements.

<sup>1</sup> Amended May 26, 1898.

Assistant city clerk.  
1891. c. 364, § 19.

Duties.

SECT. 4. The assistant city clerk shall assist the city clerk in recording, indexing and certifying all documents and papers required by law to be filed in the office of, or recorded by, the city clerk, and shall perform all other duties pertaining to the office of city clerk when thereto requested by the city clerk, or when from any cause the office of city clerk shall be vacant.

Shall give a bond

SECT. 5. The assistant city clerk shall give a bond in such form as the city solicitor shall approve, with sufficient sureties, to be approved by the mayor, in the sum of three thousand dollars, which bond shall be executed, approved and delivered before he enters upon the duties of his office, and within ten days after his election. Should he fail to give such bond within the time herein required, the election shall be void, and a new election shall be had forthwith. In case of the death or insolvency of any of the sureties on any bond so given, he shall immediately notify the mayor and give a new bond, with sufficient sureties, as hereinbefore provided; and if he fails to give such new bond within a reasonable time after notice to do so, it shall be sufficient cause for his removal from office.

Election void if bond not given.

New bond given, when.





CHAPTER 8.

CITY MESSENGER.

SECTION 1. The city messenger department shall be under the charge of the city messenger, who shall hold office for one year from the first day of May, in the year of his election and until another is chosen in his place, subject to removal, at any time, by the city council.

City messenger department in charge of city messenger. 1891 c. 364, § 19.

SECT. 2. The city messenger shall attend to the opening and closing of the rooms in the city hall, and have the care and charge of the same; shall attend all meetings of the board of aldermen and of the common council; shall wait upon all committees and boards when in session at the city hall, and, in general, shall perform all services required by the mayor, by either branch of the city council, or by such committees or boards, and shall receive such compensation as the city council may determine.

Duties.

SECT. 3. The city messenger shall purchase all supplies of stationery required for the use of the city council and departments acting thereunder. He shall keep a detailed account of all such purchases and deliveries from the same, and shall furnish each department only upon a requisition signed by the head of such department, and take a receipt for all articles delivered. He shall make monthly reports to the city auditor of all stationery furnished by him to each of the several departments of the city. He shall have charge of all printed matter, bound volumes and books of reference belonging to the city and not delivered to the departments, and shall distribute the same, or keep them in convenient form for reference, according to such rules as the committee on printing shall adopt. He shall report to the city council annually, in December, giving a general statement of purchases, deliveries and stock on hand, with a catalogue of all additions to the reference library.

Shall purchase stationery, etc.

Monthly reports to auditor.

Annual report to the city council.

## CHAPTER 9.

## CLERK OF COMMITTEES.

Clerk of committees, department in charge of. 1891, c. 364, § 19.

Duties.

Shall keep books of record, etc.

Assistant clerk of committees, how appointed.

His duties. 1891, c. 364, § 34.

SECTION 1. The clerk of committees department shall be under the charge of the clerk of committees, who shall hold his office for the term of one year from the first day of May in the year of his election and until his successor is elected. He shall act as clerk of all committees, standing or special, of either branch, and of both branches of the city council, not otherwise provided for by ordinance or order, and shall receive such compensation as the city council shall determine.

SECT. 2. He shall make a proper record, in books kept for the purpose, of all proceedings and transactions, and keep a calendar of all meetings of the committees of which he is clerk, and, when requested by the chairman, notify the members thereof. He shall perform such other duties and services, in making estimates and computations, drawing orders and reports, and rendering assistance, as such committees shall require.

SECT. 3. The clerk of committees shall appoint an assistant clerk, who shall assist him in the performance of the duties of his office, and shall discharge the duties of the clerk of committees when that officer is absent, and whenever there is a vacancy in his office.

CHAPTER 10.

ENGINEERING.

SECTION 1. The engineering department shall be under the charge of the city engineer, who shall hold his office for the term of one year from the first day of May in the year of his appointment and until his successor is chosen. He shall receive such compensation as the city council may determine.

Engineering department in charge of the city engineer. 1891, c. 364. §§ 9, 10.

SECT. 2. The city engineer shall exercise a general supervision of all matters within said department; he shall be consulted in relation to public improvements of every kind where the advice of a civil engineer would be of service. He shall have the charge of all plans of streets, drains, sewers and structures of every kind, not especially belonging to other departments, and shall keep the same properly classified and indexed; and he may make such rules and regulations, concerning the taking of plans from his office, as he may deem necessary to insure their safety.

Duties.

Charge of all plans.

SECT. 3. Unless otherwise specially provided, he shall take charge of the construction of all public works of the city which properly come under the direction of a civil engineer; shall perform all engineering services and make all examinations and prepare all statements, plans, specifications and contracts which any department may need in the discharge of its duties; shall, upon being notified by the mayor, supervise all repairs on the bridges used as highways, which affect the safety of the structures, and when required by the mayor, or by any officer or board in charge of a department, shall measure the work done by contract for the city, and certify to the results of such measurement.

Charge of the construction of public works.

Shall supervise repairs of bridges.

Shall measure work done by contract.

SECT. 4. He shall, either by himself or his assistants, make such surveys, plans, profiles, estimates and descriptions as may be required of him by the mayor, the board of aldermen, the city council or any committee thereof; and he shall perform all other such services for the city, which properly come under the direction of a civil engineer, as may be required of him by the mayor, the board of aldermen, the city council or any committee thereof, the city solicitor, the water board, or the board of cemetery commissioners.

Shall make surveys and plans, and perform services required of him.

SECT. 5. He shall take charge of all plans and surveys relating to the laying out, widening, extending, and grading of streets, and the establishing of correct lines for the same, and of all such structures and public works of the city as the city council may direct; *provided*, that nothing in this section shall be so construed

Plans and laying out of streets.

Shall not interfere with other departments.

as to authorize him to interfere with existing departments or boards of officers, or with any which may be hereafter established, whose duties may be clearly defined.

Shall give lines and grades of streets, free of charge.

SECT. 6. He shall give to all applicants, so far as the files and records of his office will permit, any information as to the lines and grades of streets on which their estates are situated, or upon which they intend to build. And all information of this character furnished to owners of estates, or persons representing them, or to those intending to build, shall be without charge. <sup>1</sup> It shall be his duty to ascertain the proper foundation grade for the superstructure of every building to be erected by the city, and immediately thereafter to furnish all necessary information in relation thereto to the superintendent of public buildings.

Foundation grade.

Shall notify the mayor of encroachments on the public streets  
P. S. c. 54.

SECT. 7. Whenever he shall ascertain that any building or structure has been placed within the lines of a public street, or so that it may cause injury or inconvenience to a public street, he shall immediately give notice thereof in writing to the mayor.

Shall annually examine the bridges, etc.

SECT. 8. He shall annually, or oftener if required, carefully examine all the bridges within the city limits, and make such reports respecting their condition as to safety, need of renewal or repairs, as the case may require.

Annual report to the city council.

SECT. 9. He shall annually, in the month of December, present to the city council a report in relation to his department, showing the number of persons employed, the detailed expenses of the department, the general nature of the work, the property under his charge, the condition of all structures that come under his supervision that are in process of construction, or that have been completed during the previous year, and such other general information, in relation to the same, as he may deem expedient.

<sup>1</sup> Amended Dec. 29, 1897.

CHAPTER 11.

FIRE.

SECTION 1. The fire department shall be under the charge of the chief engineer. The department shall consist of a chief engineer, two<sup>1</sup> engineers, who shall be styled call district chiefs, and of as many enginemen, assistant enginemen, hosemen, and hook and ladder men, to be divided into companies, as the number of engines and other fire apparatus belonging to the city shall require.

Fire department in charge of the chief engineer.

Other officers, etc., of the department. P. S. c. 35, § 28.

SECT. 2. The chief engineer, call district chiefs, and all officers and members of the fire department shall hold their respective offices and places until they are removed, or their offices or places are otherwise vacated. The mayor, for cause assigned by him, and after due hearing by him may, with the approval of a majority of the board of aldermen, at any time remove from office or place, the chief engineer, any call district chief, any officer and any member of the department. In the case of a vacancy in the offices of the chief engineer and the call district chiefs, such vacancy shall, within thirty days after it is created, be filled by appointment by the mayor, with the approval of the board of aldermen.

Terms of office.

Removals.

Vacancies.

SECT. 3. The chief and the call district chiefs, on their appointment, shall each receive a warrant, in the words following: "This certifies that — — is appointed chief engineer (or call district chief) of the fire department of the city of Cambridge; and is entitled to all the immunities, and invested with all the powers belonging to said office. Given under my hand, this — day of —, A. D., 18—. — —, Mayor, — —, City Clerk."

Warrants of appointment.

SECT. 4. The chief engineer shall engage in no other business or occupation. The call district chiefs shall report their absences from fires in their respective districts, with the reasons therefor, to the chief engineer, who shall keep a record thereof, and of his own absences from fires. They shall also report to him whenever they intend to leave the city. <sup>2</sup> There shall be appointed one more driver than those required for the existing engine and hook and ladder companies. The chief engineer may designate one of the drivers in the fire department to act as driver of his wagon.

Duties of engineers.

<sup>1</sup> Amended Dec. 9, 1896.

<sup>2</sup> Amended May 4, 1893.

Such person shall be constantly employed, and shall at all times be in or about the engine house except when on duty elsewhere, unavoidably absent, or excused from duty by the chief engineer.

Duties of engineers.

SECT. 5. The call district chiefs shall, whenever a fire breaks out in their respective districts, immediately repair to the fire, wearing the badge of their office; shall require and compel assistance from all persons in extinguishing the fire, removing furniture, goods, or other merchandise from any building on fire or in danger thereof, and in pulling down any building, if occasion require, and shall suppress all tumults and disorders at fires.

Chief engineer to have sole command at fires, etc.

SECT. 6. The chief engineer shall have the sole command at fires over all persons, whether members of the fire department or not. He shall direct all proper measures for extinguishing fires, protecting property, preserving order, and enforcing the laws, ordinances and regulations respecting fires; and shall examine into the condition of the fire engines and all other fire apparatus, and of the fire-engine houses and other houses belonging to the city, and used for the department and by the companies thereto attached, as often as once a week, and whenever directed

Shall certify all bills and submit them to committee on fire department.

so to do by the mayor. He shall certify all bills, and submit the same for inspection monthly to the joint standing committee on the fire department. He shall report to the city council, annually, in the month of December, a statement of the receipts and expenditures of his department, the condition of the fire engines and all other fire apparatus, a schedule of the property in his charge, the names of the officers and members, and all other facts in relation to the department. Whenever the fire engines or other fire apparatus require repairs, he shall cause the same to be made, under the direction of the mayor, and, as far as practicable, shall examine into the location and condition of fire apparatus belonging to corporations or private individuals within the limits

Annual report.

of the city. He shall require the permanent men, when not otherwise engaged, to perform such other duties and do such other work as, in his judgment, may be deemed proper. He shall also receive and transmit to the city council all returns of officers, members, and fire apparatus, made by the respective companies as hereinafter prescribed, and all other communications relating to the affairs of the fire department; shall keep fair and exact rolls of the respective companies, specifying the time of admission and discharge and the age of each member, and shall report annually, or oftener if directed, all accidents by fire which may happen within the city, with the cause thereof, the number and description of the buildings destroyed or injured, and the amount of loss and insurance on the same, together with the names of the owners or occupants.

Fire apparatus, public and private.

Direction of firemen.

Transmit returns to city council.

Annual report of all fires.  
P. S. c. 85, § 10.

SECT. 7. In case of the absence of the chief engineer, a call district chief, designated by him, shall execute the duties of his office with full powers, except that each call district chief shall have full control within his district during a fire.

Call district chief to act in absence of chief engineer.

SECT. 8. No person who is not a legal voter in the city, and no person whose daily occupation is carried on outside of the city, shall be appointed, or continue an officer or member of the fire department. <sup>1</sup> Whoever is appointed hereafter to any position in the fire department may be retired from the service at any time after he reaches the age of sixty years, at the discretion of the mayor, with the approval of the board of aldermen.

Qualifications of the fire department.

Retire from service.

<sup>2</sup> Whoever is appointed hereafter as a member of the fire department shall, before receiving such appointment, be subjected to a satisfactory physical examination.

Physical examination.

SECT. 9. Each steam fire-engine company shall consist of a captain, lieutenant, engineman, assistant engineman, driver of the steam fire engine, driver of the hose carriage, and six hosemen. The captain and lieutenant shall be nominated by the chief engineer for appointment by the mayor and aldermen. The engineman, assistant engineman and the drivers shall be constantly employed, and shall at all times be in or about the engine house, except when unavoidably absent, or excused from duty by the chief engineer.

Members of steam fire-engine companies.

Which to be permanent men.

The captain of each steam fire-engine company shall have charge and direction of his company at fires.

Duties of captains and lieutenants.

The lieutenant of each steam fire-engine company shall assist the captain in the discharge of his duties, and act as clerk of the company.

Each chemical engine company shall consist of a lieutenant, <sup>3</sup> an engineman <sup>3</sup> and driver. The lieutenant <sup>3</sup> of each chemical engine company shall have charge and direction of his company at fires.

Chemical engine companies.

<sup>4</sup> In addition to the permanent force before mentioned, there shall also be appointed <sup>5</sup> six men who shall be constantly employed, and who shall be assigned as the chief engineer may direct, <sup>5</sup> provided, however, that the number of members of the department other than those permanently employed shall be reduced by three.

Addition to permanent force.

<sup>3</sup> There shall also be appointed from the permanent force one permanent lieutenant of hook and ladder truck companies, whose duty shall be the same as that now performed by the call lieu-

Duty of permanent lieutenant of hook and ladder truck companies.

<sup>1</sup> Amended Oct. 12, 1898.

<sup>2</sup> Amended Dec. 22, 1898.

<sup>3</sup> Amended July 27, 1898.

<sup>4</sup> Amended Oct. 28, 1896.

<sup>5</sup> Amended Sept. 30, 1898.

Permanent lieutenant of chemical engine companies.

tenants of said truck companies, and in the absence of the captain he shall have the care of the engine house and all city property therein. There shall also be created the position of permanent lieutenant of chemical engine companies, who shall be chosen from the permanent force, whose duty shall be the same as that now performed by the engineman of said chemical companies. Such permanent lieutenants to be assigned as the chief engineer may direct. The assistant engineman shall be designated and known as engineman, and in the absence of the permanent lieutenant, he shall have charge of the chemical engine house and all city property therein.

Additional permanent man to each steam fire engine.

<sup>4</sup> There shall also be appointed one additional permanent man to each steam fire engine, making seven additional permanent men; and the number of the call men to each steam fire engine shall be correspondingly reduced.

Duties of enginemen.  
P. S. c. 35, § 34.

SECT. 10. The engineman of each fire-engine company shall, under the direction of the chief engineer, have the immediate care of the engine house and all the property therein belonging to the city. He shall make requisitions on the chief engineer for all supplies required for his company. He shall be held personally responsible for the care and condition of the fire engine, and have it at all times ready for immediate use. He shall be accountable for the discipline of his company, and report to the chief engineer any breach of the same. <sup>1</sup> In the absence of the engineman the assistant engineman shall have the care of the engine house and all city property therein.

Duties of drivers.

SECT. 11. The driver of each fire engine, and the driver of the hose carriage, shall drive and have charge of the horses of the fire engine and hose carriage, respectively, and have the same at all times ready for immediate use, and the stable kept neat and clean. They and the assistant enginemen shall assist the enginemen in keeping the house and apparatus clean, and all shall perform such other duty as may be required of them by the chief engineer.

Members of hook-and-ladder companies.

SECT. 12. Each hook-and-ladder company <sup>2</sup> except the company in charge of the Hayes truck, so called, shall consist of a captain, lieutenant, driver, and <sup>3</sup> nine laddermen. <sup>2</sup> The company in charge of the Hayes truck, so called, shall consist of a captain, lieutenant, driver, tillerman, and not more than four laddermen. The captain and lieutenant shall be nominated by the chief engineer for appointment by the mayor and aldermen. The captain shall, at all fires, have charge and direction of his company. The

Company in charge of Hayes truck.

<sup>1</sup> Amended Feb. 26, 1898.

<sup>2</sup> Amended Feb. 23, 1894.

<sup>3</sup> Amended Dec. 9, 1896.

<sup>4</sup> Amended Oct. 12, 1899.



lieutenant shall assist the captain in the discharge of his duties, and also act as clerk of the company. The driver<sup>1</sup> and tillerman shall be constantly employed, and at all times be in or about the hook-and-ladder house, except when unavoidably absent, or excused from duty by the chief engineer. <sup>1</sup>The driver shall drive and have charge of the horses, shall keep the stable neat and clean, and perform such other duty as may be required of him by the chief engineer. <sup>1</sup>The tillerman shall operate the tiller of the Hayes truck, so called, and shall also perform such other duties as may be assigned to and required of him by the chief engineer.

Duties of driver and tillerman.

SECT. 13. The captain of each hook-and-ladder company shall be constantly employed, and at all times be in and about the hook-and-ladder house, except when unavoidably absent, or excused from duty by the chief engineer. He shall, under the direction of the chief engineer, have the sole care of the hook-and-ladder house and all the property therein belonging to the city, and shall be held personally responsible for the care and condition of the same. He shall be accountable for the discipline of his company and report to the chief engineer any breach of the same.

The captains of hook and ladder companies to be permanent men.

Duties and responsibilities.

SECT. 14. Whenever any vacancy occurs in any fire-engine, hose, or hook-and-ladder company, the vacancy shall be filled by appointment by the mayor with the approval of the board of aldermen. The members of such companies shall continue in service until removed by the mayor and aldermen, or until their positions are otherwise vacated, *provided*, however, that the chief engineer or any call district chief may suspend any member of a company for such cause as he may deem sufficient, and the call district chiefs shall each immediately report any case of suspension by him to the chief engineer, and the chief engineer shall, as soon as possible, report any case of suspension to the mayor.

Vacancies in companies, how filled.

Terms of service of members.

SECT. 15. The captains shall keep, or cause to be kept by the clerks of their respective companies, fair and exact rolls, specifying the time of admission, discharge and age of each member, and accounts of all city property intrusted to the care of the several members, and of all cases of absence and tardiness, in a book provided for that purpose by the city, which rolls or record books are always to be subject to the order of the chief engineer and the mayor. They shall also make, or cause to be made, to the chief engineer, true and accurate returns of all the members, with their ages, and of the apparatus intrusted to their care, whenever called upon so to do.

Captains shall cause to be kept rolls of their companies.

Shall make returns to the chief engineer.

SECT. 16. The officers and members of the several companies.

<sup>1</sup> Amended Feb. 23, 1894.

In case of fire,  
duty of officers  
and members.

whenever a fire breaks out in the city, shall repair forthwith to their respective fire engines, hose, and hook-and-ladder carriages, and obey the directions of the chief or the call district chief in charge, and in the absence of all the call district chiefs, the directions of their respective captains.

Transfer of  
members.

SECT. 17. The chief engineer shall have power to transfer members from one company to another, whenever the interests of the department may require it.

Copy of  
records of  
transfers and  
suspensions to  
be sent to the  
mayor.

SECT. 18. In all cases of transfer, or suspension of the members of the fire department by the chief engineer or call district chiefs, the name of the person transferred or suspended, with a statement of the reasons thereof, shall be entered by the chief engineer on his records, and a copy of the same shall be transmitted at once to the mayor.

Duty of  
captains at  
fires.

SECT. 19. The captain of each steam fire-engine and hook-and-ladder company, and the engineman of each chemical engine company, immediately on his arrival at any fire, shall report to the chief engineer, or the call district chief in charge, and shall remain by his company and the apparatus of which he has charge, during the fire, preserve order, direct their operations, and protect them from being interrupted in the discharge of their duty.

Duty of other  
officers in the  
absence of  
captain.

SECT. 20. In the absence of the captain of any company, the officer next in rank, who is present, shall take the command, and have all the powers and responsibilities of captain.

No fines to be  
imposed on  
members.

SECT. 21. No company shall be allowed to impose fines upon its members; but it shall be the duty of the clerk of each company to enter in the roll book provided by the city, all absences of each officer or member of said company from all fires and alarms of fire, and from the monthly and special meetings authorized by the chief engineer, and to make a monthly return of the same to the chief engineer. And for every such absence, except in case of sickness, there shall be deducted from the pay of such officer or member the sum of fifty cents.

Deductions  
from pay  
permitted.

Uniforms for  
permanent  
members.

SECT. 22. The permanent men of the department shall be required to furnish themselves with a suitable uniform, the same to consist of a cap, overcoat, undercoat, vest, and pantaloons, and to be of such materials, quality of goods, and pattern, as the chief engineer may prescribe.

Badges to be  
worn at all  
fires.

SECT. 23. Every member of the department shall wear at all fires, such badge as the chief engineer shall prescribe; and no person without such badge, excepting members of the city council, shall enter within the lines formed at any fire.

Refreshments.

SECT. 24. It shall be the duty of the chief engineer as far as possible, to prevent refreshments being furnished at fires to any

persons, except members of the fire department. No intoxicating liquors of any kind shall be carried into any of the houses used by the fire department; nor shall any gambling be permitted therein.

Intoxicating liquors.  
Gambling.

SECT. 25. No company shall leave the city in case of fire in the neighboring towns, except by the consent of the chief engineer; and no company shall leave the city on an excursion, unless by the permission of the mayor, and such permission shall in no case be deemed to include the apparatus.

Companies not to leave the city, except.

SECT. 26. The chief engineer and call district chiefs shall thoroughly examine into all places where shavings and other combustible materials are deposited or collected, and cause the same to be removed by and at the expense of the owners or other occupants of any such places, whenever the security of the city against fire requires it.

Combustibles.

SECT. 27. The chief engineer shall make rules for giving alarms of fire by telegraph, and may alter the same; and he shall make such rules and regulations for the better government, discipline, and good order of the department, and for the extinguishing of fires, as he may deem expedient, the same not being repugnant to the laws of this commonwealth, or to any ordinance of the city, but subject to the approval of the city council; such rules shall be placed on file in the office of the chief engineer.

Rules for fire-alarm telegraph.

Rules for discipline, etc.

FIRE LINES.

SECTION 1. At any place or places in this city at which a fire is or has been in progress no person other than firemen, policemen and other parties duly authorized shall advance, enter or remain within or beyond any barrier, line or limit of approach to said place or places which barrier, line or limit has been established or located by roping off or otherwise by order of the chief of the fire department, during the time and at the place at which said barrier, line or limit of approach is maintained.

No person other than firemen, policemen, etc., allowed within barrier, etc.

SECT. 2. Said barrier, line or limit of approach so established or located as provided in section one, shall be known as and called a "fire line."

Barrier, line, etc., known as fire line.

SECT. 3. Any person violating any of the provisions of this ordinance shall be liable to a penalty not exceeding twenty dollars for each offence.

Penalty.

PENSIONING OF FIREMEN.

SECTION 1. Upon the recommendation of the chief engineer of the fire department to the city council or upon his own petition therefor, any fireman in the employ of the city, who, by reason of permanent disability incurred while in the discharge of his

Petition for pension.

Shall receive pension for such a time, etc.

duty as fireman, is no longer able to perform active service as such fireman, shall receive such a pension for such a time and to such an amount as upon hearing he may be found entitled thereto.

Pension granted under restrictions, etc.

SECT. 2. Every pension granted to a fireman shall be under the following restrictions and subject to the following provisions, viz.: 1. It shall be payable monthly. 2. It may be increased, diminished or revoked at any time after due notice to the pensioner and a hearing before a committee of the city council.

City physician shall examine, and furnish written statement, etc.

SECT. 3. The city physician shall examine every person recommended for or applying for such pension, and shall furnish to the city council a written statement in regard to his physical condition so far as it affects permanently his ability to perform active service as a fireman.

Chief engineer shall furnish written statement, etc.

SECT. 4. The chief engineer of the fire department shall furnish to the city council a written statement of the circumstances under which his disability was incurred, and the sources of his information in regard to the same.

Amount of pension not to exceed, etc.

SECT. 5. The pension granted to the chief engineer of the fire department shall not exceed one-half of the amount of his salary. The pension granted to any other member of the department shall not exceed forty-three dollars per month in any case.

CHAPTER 12.

HEALTH.

<sup>1</sup> SECTION 1. The health department shall be under the charge of the board of health, which shall consist of three persons not members of the city council, one of whom shall be a doctor of medicine. One of them shall be appointed by the mayor subject to the confirmation by the board of aldermen, some time during the month of January of each year, to hold office for the term of three years from the first Monday in February, in the year of his appointment.

Health department in charge of the board of health.  
P. S. c. 80, § 8.

Term of office.

SECT. 2. The members of the board of health shall serve without compensation. Suitable accommodations and conveniences shall be furnished the board at the expense of the city, under the direction of the superintendent of public buildings.

Shall serve without pay.

SECT. 3. The board shall annually, in the month of January, report to the city council an accurate account in detail of all receipts and disbursements during the past financial year, and before the twentieth day of January of each year shall submit to the mayor an estimate in detail of the appropriations required by the health department for that financial year.

Annual report to city council.

SECT. 4. The board shall be vigilant and active in protecting the public health; shall see that the laws and ordinances in relation to the same are enforced; shall communicate its views to the city council from time to time, as it may deem expedient, and may call upon the police department and the various city officers to aid it in the performance of these duties.

Duties of the board.

SECT. 5. The board shall make all contracts and regulations for the cleaning of private cesspools, vaults and privies, and all contracts for such work shall contain the condition that such work shall be performed to the satisfaction of the board of health.

Shall make certain contracts and regulations.

SECT. 6. Whenever the board of health does, or causes to be done, work for any person, it shall enter in books kept for that purpose, all such work done, with the price thereof, and shall forthwith make out bills for the same, and deliver them to the treasurer for collection, who shall at once demand payment of the same; and the board shall, on the first day of every month, report in writing, to the auditor, a list of the bills so delivered,

Shall send bills to treasurer.

Monthly reports to the auditor.

<sup>1</sup> Amended April 1, 1896.

and, in case any such bills or dues remain unpaid at the expiration of thirty days after demand for payment as aforesaid, the treasurer shall collect the same according to law.

Permits for  
draining  
vaults.

SECT. 7. The city engineer, under the direction of the board of health, is authorized to permit, under such restrictions as they may deem expedient, the construction of sufficient passage ways or conduits under ground for the purpose of conveying the liquid contents of any vault into any common sewer.

CHAPTER 13.

CONSTRUCTION, MAINTENANCE AND INSPECTION OF BUILDINGS.

SECTION 1. The superintendent of public buildings shall be an able and experienced architect, builder or mechanic. He shall have the sole charge of the construction, inspection, repair, alteration, care and custody of all the public buildings of the city not constructed for or by any other special department, and shall supervise and direct the construction of buildings of other departments whenever so requested by any such department, and shall have the control of the enforcement of the plumbing ordinance. He shall receive such compensation for his services as the city council may from time to time determine.

Requirements of superintendent of public buildings.

Duties.

SECT. 2. In the month of December of each year he shall present to the city council a written report, showing the number and condition of all buildings under his care, and what repairs, in his opinion, may be needed upon each for the next twelve months, and the probable cost of such repairs.

Annual report to city council.

SECT. 3. As often as practicable he shall examine and inspect the materials, construction, alteration, repair and use of all buildings and other structures erected and in the process of erection, alteration or repair within the city limits, excepting such buildings and structures as are used and occupied by the United States or the commonwealth, also excepting bridges, quays and wharves, and as far as may be necessary for the performance of his duties enter any such building or premises.

Shall examine and inspect the material, construction, etc., of buildings erected.

For other than department buildings and structures he shall require plans and specifications or a description of any proposed erection, alteration or repair, other than necessary repairs, to be filed in his office, and shall grant licenses for such erection or alteration and repairs other than necessary repairs, when the plans, specifications or descriptions are so filed in conformity with the ordinances of the city and the laws of this commonwealth. He shall make a record of all violations of this ordinance, with the street and number where such violations occurred, the names of the owners, architects and master mechanics and all other matters relative thereto. He or his assistants shall examine all buildings reported dangerous or damaged by fire or accident, and make a record of such examinations, stating the nature and amount of such damage, the name of the street and number of the building, the names of the owner and occupant, and the purpose for which it is occupied; he shall examine all buildings

Plans to be filed of any proposed erection, alteration or repair.

Shall make record of all violations.

Shall examine buildings reported dangerous or damaged by fire, and make record of same.

Shall examine buildings that are to be raised, etc.

Authority to enter and examine buildings for prevention of fire.

May enter premises to ascertain origin of fire.

Designate an assistant who shall have power and authority of superintendent.

Person before building, etc., shall give written statement to superintendent, with plan, material to be used, and precise location.

Shall obtain written license to build.

Shall obtain lines and grades of the streets from City Engineer.

Applicant to give seven day's notice.

for which applications have been made for permits to raise, enlarge, alter, build upon or tear down, and make a record of such examination. The records required by this section shall always be open to the inspection of any officer of the city.

SECT. 4. He shall have all the right and authority that the inspector of buildings now has and that may hereafter be given and conferred by the laws of this commonwealth and ordinances of this city now and hereafter in force relating to the inspection, construction, use, occupation, alteration, repair and safety of buildings and structures within the limits of the city for the prevention of fires and the protection of life, and shall cause the ordinances of the city and the statute law of this commonwealth now and hereafter in force with reference thereto to be strictly enforced. He may enter upon the premises wherein any fire has occurred and ascertain, if possible, the origin of the fire. He shall designate an assistant in his department as his deputy, who, in the event of, and during his temporary absence or disability shall have and exercise all the powers and authority of the superintendent.

SECT. 5. Every person before proceeding to build, erect, alter or repair in any way, except in making necessary repairs, any structure, building, wall or fence whatsoever (if said wall or fence is at any place nearer than five feet to the line of any public street next adjacent thereto), except bridges, quays, wharves or buildings of the government of the United States or this commonwealth, shall first give written notice to the superintendent of his intention, with a plan of the structure, building, wall or fence proposed, the materials to be used, the number of the street, the precise location, and the name of the owner or owners of the land; and shall obtain from the superintendent a written license so to do; and in all cases where any part of such structure, building, wall, or fence is nearer than five feet to the line of the street next adjacent thereto, he shall obtain free of expense from the city engineer, if in the power of the latter to furnish the same, the lines and grades of the streets adjoining which he proposes to build, erect, alter or repair as aforesaid. The superintendent may also, before issuing a license as aforesaid, require the applicant to give seven days' notice in writing of the application to any and all persons whose interests the superintendent considers may be effected by the proposed work. All materials are to be of good quality for the purposes for which they are to be used, and to conform to legal, trade and manufacturers' standards, and be subject to the approval of the superintendent.

SECT. 6. The superintendent shall designate in every permit



for the erection of a new building the lowest grade at which the floor of the basement story of such building may be laid.

Lowest grade to be designated.

SECT. 7. No building more than one hundred and twenty-five feet in height above the grade of the street shall hereafter be erected in this city, provided, however, that this restriction shall not apply to grain or coal elevators or sugar refineries, nor to spires of churches, steeples, domes, towers or cupolas erected for strictly oramental purposes, of fireproof material.

No building to be erected more than 125 ft. in height, except grain elevators, etc.

SECT. 8. Every portion of every structure in process of construction, alteration, repair or removal, and every neighboring structure or portion thereof affected thereby, or by any excavation, shall be properly constructed and sufficiently supported. The superintendent may take such measures as the public safety requires to carry this section into effect, and any expense so incurred may be recovered by the city from the owner of the defective structure.

Structure in process of construction, etc., to be sufficiently supported.

SECT. 9. Every building of three or more stories in height within this city now or hereafter used, in whole or in part, as a public building, public or private institution, schoolhouse, church, theatre, public hall, place of assemblage or place of public resort, and every such building in which ten or more persons are employed above the second story in a factory, workshop or mercantile or other establishment, and every hotel, family hotel, apartment house, boarding house, lodging house or tenement house within this city in which ten or more persons lodge or reside above the second story, and every factory, workshop, mercantile or other establishment within this city, the owner, lessee or occupant of which is notified in writing by the superintendent that the provisions of this section are deemed by him applicable thereto, shall be provided with proper ways of egress or other means of escape from fire sufficient for the use of all persons accommodated assembling, employed, lodging or residing in such building; and such ways of egress and means of escape shall be kept free from obstruction, in good repair, and ready for use. Every room above the second story in any such building in which ten or more persons are employed shall be provided, if the superintendent shall so direct in writing, with more than one way of egress by stairways on the inside or outside of the building, placed as near as practicable at the opposite ends of the building; stairways on the outside of the building shall have suitable railed landings at each story above the first, and shall connect with each story by doors or windows, and such landings, doors and windows shall be kept clear of ice and snow and other obstructions. No person shall be employed in a factory, workshop or mercantile or other establishment in a room above the

Owners of buildings if notified by superintendent shall provide proper ways of egress or other means of escape from fire.

Egress by stairways.

second story from which there is only one way of egress if the said superintendent shall so direct in writing. All doors and windows in any building subject to the provisions of this section shall open outwardly, if the superintendent shall so direct in writing. No portable seats or other obstructions shall be allowed in the aisles or passage-ways of such buildings during any service or entertainment held therein. The proscenium or curtain opening of all theatres shall have a fire-resisting curtain of some incombustible material and such curtain shall be properly constructed and shall be operated by proper mechanism; the certificate of the superintendent shall be conclusive evidence of a compliance with such requirements.

**Doors to be made so as to open outward.**

**Portable seats.**

**Proscenium shall have a fire-resisting curtain.**

**Hotel, etc., more than two stories high to be provided with means of egress.**

SECT. 10. Every hotel, family hotel, apartment house, boarding house, lodging house or tenement house hereafter erected, more than two stories high from the level of the street, shall be provided with two stairways placed in such a manner at opposite sides or ends of the building that the inmates shall have easy means of egress at all times; said stairways to lead from each story, and all halls leading from front to rear shall be provided with doors so as to form a fire and smoke stop.

**Building for more than one family to have safe means of egress.**

SECT. 11. Every building hereafter built, and every building occupied by more than one family, shall have, according to its height, condition, construction, surroundings, character or occupation, and number of occupants, one or more safe means of egress in case of fire, as the superintendent may direct.

**Schoolhouses, churches, etc., to have independent ways of egress.**

SECT. 12. Every schoolhouse two stories or more high, every church, theatre, public building, hall, place of assembly or resort, every building occupied above the second story by two or more families, or as a tenement, boarding or lodging house, or as a factory or workshop, where ten or more persons are employed, shall have at least two independent ways of egress, each accessible from each apartment, and one of which shall be enclosed in brick walls, shall have no interior openings other than the doors of the apartments from which it is an exit, and shall be provided with a ventilating skylight, which can be operated from the lower hall. All ways of egress from every building shall be kept in good repair. No obstruction shall be placed upon any way of egress from any building. Provided, however, with the approval of the superintendent such stairways may be constructed as hereafter provided in section twenty-six.

**To be kept in good repair.**

**Owners entitled to certificate that building is provided with safe means of egress.**

SECT. 13. Any owner or lessee responsible for the condition of a building shall be entitled to a certificate, or if the original has been issued, an exhibition of the duplicate thereof on the superintendent's records to the effect that such building is provided with safe means of egress, if and whenever such is the

case in the superintendent's opinion. Any tenant of or person employed in any private building, and in the case of any public building or public school, any citizen of Cambridge shall be entitled to an exhibition of the superintendent's record, and, if no certificate has been issued, may apply to have a certificate issued for such building.

SECT. 14. In case any building subject to sections nine, sixteen, seventeen, eighteen, nineteen, twenty and twenty-one of this ordinance is owned, leased, or occupied, jointly or in severalty, by different persons, any one of such persons shall have the right to apply to any part of the outside of such building and to sustain from any part of the outside wall thereof, any way of egress or means of escape from fire specified and described by the superintendent, notwithstanding the objection of any other such owner, lessee, or occupant; and any such way of egress or means of escape may project over the highway.

In case building is owned, etc., jointly or in severalty.

SECT. 15. The platforms, landings and steps of every fire escape shall be strong enough to carry a load of seventy pounds to the square foot in addition to the weight of material.

Fire escape to carry a load of seventy pounds to square foot.

SECT. 16. In this city no building three or more stories in height designed to be used, in whole or in part, as a public building, public or private institution, schoolhouse, church, theatre, public hall, place of assemblage or place of public resort, and no building more than two stories in height, designed to be used above the second story, in whole or in part, as a factory, workshop or mercantile or other establishment, and having accommodations for ten or more employees above said story, and no building more than two stories in height designed to be used above the second story, in whole or in part, as a hotel, family hotel, apartment house, boarding house, lodging house, or tenement house, and having ten or more rooms above said story, shall hereafter be erected until a copy of the plans of such building has been deposited with the superintendent by the person causing the erection or construction of such building, or by the architect who has drawn such plans, which plans shall include therein the system or method of ventilation provided for such building, together with a copy of such portion of the specifications of such building as the superintendent may require, nor shall any such building be so erected without the provision of sufficient ways of egress and other means of escape from fire properly located and constructed. The certificate of the superintendent endorsed with the approval of the chief of the district police force, shall be conclusive evidence of a compliance with the provisions of this ordinance; provided that after the granting of such certificate no change is made in the plans or specifications of such ways of

Plans of certain buildings to be deposited with superintendent.

Plans to include method of ventilation.

Certificate of superintendent.

egress and means of escape, unless a new certificate is obtained therefor. The superintendent may require that proper fire stops shall be provided in the floors, walls and partitions of such buildings, and may make such further requirements as may be necessary or proper to prevent the spread of fire therein or its communication from any steam boiler or heating apparatus; and no pipe for conveying hot air or steam in such building shall be placed nearer than one inch to any woodwork, unless protected to the satisfaction of the superintendent by suitable guards or casings of incombustible material, and no wooden flue or air duct for heating or ventilating purposes shall be placed in any such building.

Fire stops in floors, etc., to prevent spread of fire.

No woodwork to be near pipe.

Penalty.

SECT. 17. Any person erecting or constructing a building, or any architect or other person who shall draw plans or specifications or superintend the erection or construction of a building, in violation of the two preceding provisions of this ordinance, shall be punished by a fine of not less than fifty nor more than one thousand dollars, and may also be enjoined, as otherwise provided by statute at the instance of the superintendent.

Shall examine buildings.

SECT. 18. It shall be the duty of the superintendent to examine from time to time all buildings subject to the provisions of sections nine and sixteen of this ordinance. In case any such building conforms, in the judgment of the superintendent, to the requirements of this ordinance, he shall issue to the owner, lessee or occupant of such building, or of any portion thereof, used as above mentioned in sections nine and sixteen of this ordinance, a certificate to that effect, specifying the number of persons for whom the ways of egress and means of escape in case of fire are deemed to be sufficient; such certificate shall be conclusive evidence, as long as it continues in force, of the compliance on the part of the person to whom it is issued, with the provisions of this ordinance; but such certificates shall be of no effect in case a greater number of persons than therein specified are accommodated or employed, or assembled, lodged or reside within such building or portion thereof, or in case such building is used for any purposes materially different from those for which it was used at the time of the granting thereof, or in case the internal arrangements of such building are materially altered, or in case any ways of egress or means of escape from fire existing in such building at the time of such granting are stopped up, rendered unavailable or materially changed; and in no case shall such certificate continue in force for more than five years from its date. Such certificate may be revoked by the superintendent at any time upon written notice to the person holding the same or occupying the premises for which it was granted, and shall be so

Certificate of number of persons for whom ways of egress and means of escape are deemed sufficient.

Certificate shall be of no effect, etc.

Certificate may be revoked.

revoked whenever, in his opinion, any conditions or circumstances have so changed that the existing ways of egress and means of escape are no longer proper and sufficient. A copy of the said certificate shall be kept posted in a conspicuous place upon every floor of such building by the person occupying the premises covered thereby.

Copy of certificate to be posted, etc.

SECT. 19. Upon an application being made to the superintendent for the granting of a certificate under sections sixteen and eighteen of this ordinance, he shall issue to the person making the same an acknowledgment that such certificate has been applied for; and pending the granting or refusal of such certificate, such acknowledgment shall have, for a period of ninety days, the same effect as such certificate, and such acknowledgment may be renewed by the superintendent with the same effect for a further period not exceeding ninety days, and may be further renewed by the chief of the district police force, until such time as such certificate shall be granted or refused.

Superintendent shall issue acknowledgment, etc.

SECT. 20. In case any change is made in any premises for which a certificate has been issued under this ordinance, whether in the use thereof or otherwise, such as terminates the effect of such certificate, as above provided in section eleven, it shall be the duty of the person making the same to give written notice thereof forthwith to the superintendent and to the chief of the district police.

Written notice to be made in case any change is made in premises.

SECT. 21. In case any building, or portion thereof, subject to sections nine, sixteen, seventeen, eighteen, nineteen and twenty of this ordinance, is found by the superintendent to fail to conform thereto, or in case any change is made in such building or portion thereof, such as terminates the effect of a certificate formerly granted therefor as aforesaid, it shall be the duty of the superintendent to give notice in writing to the owner, lessee, or occupant of such building, specifying and describing what additional ways of egress or means of escape from fire are necessary, in the opinion of the superintendent, in order to conform to said provisions of this ordinance, and to secure the granting of a certificate as aforesaid. Notice to any agent of such owner, lessee, or occupant in charge of the premises shall be sufficient notice under this section to such owner, lessee, or occupant.

Notice to be given of failure to conform to ordinance.

SECT. 22. When a license is required by law or municipal ordinance, in order to authorize any premises to be used for any purpose mentioned in section nine, no license for such purpose shall be granted until a certificate for such building or portion thereof shall first have been obtained from the superintendent, as above provided, and no such license hereafter issued shall continue in force any longer than such certificate remains in force.

No license shall be granted, etc.

Frame or wooden buildings to be built with sills, etc.

SECT. 23. All frame or wooden buildings exceeding a height of fifteen feet from underpinning, shall be built with sills, posts, girts, plates and rafters, all of suitable size and mortised, tenoned, braced and pinned, and with suitable studs not less than two inches by four inches to space not more than sixteen inches on centres, and if the building exceeds four hundred feet in area the posts and girts shall not be less than four inches by eight inches. Floor timbers shall not be less than two inches thick.

No ledger boards to be used, etc.

SECT. 24. No ledger boards shall be used in place of girts in any building where the posts exceed fifteen feet in height; and all openings at floors, whether caused by ledger-board floor joists laid upon girts, or floor joists projecting above sills, shall be stopped by joists not less than two inches thick fitted tightly between the studs.

Notice to be given to superintendent when premises are ready for inspection.

SECT. 25. In all buildings hereafter erected or altered in whole or in part, in which lathing and plastering is to be done, in which fire stops are required or gas pipes and meters are to be placed, the owners or builders thereof shall before proceeding to lathe, plaster, place fire stops, gas pipes or meters therein give written notice to the superintendent that the premises are ready for inspection. Whenever such inspection is found to be satisfactory to the superintendent, the latter shall forthwith issue to the owners or builders a license to lathe and plaster, and locate fire stops, gas pipes and meters; and all such work shall be done in strict conformity with the terms of such license. Gas piping and location of gas meters shall also be done in accordance with the terms and conditions named in section fifty-six.

License to lathe and plaster.

Gas piping or location of gas meters.

Partition walls of brick, etc.

SECT. 26. In every wooden building in which two or more families reside on the same floor there shall be a partition wall of brick, or other incombustible material satisfactory to the superintendent, dividing each apartment; if of brick to be not less than eight inches thick, built up to the under side of the roof covering, and the said covering laid and embedded in mortar upon the walls, or built up twelve inches above the roof and covered with metallic covering, or where said wall is not carried above the roof there shall be placed on each side of said wall a rafter which shall be filled in solidly with mortar between said walls and rafters, provided openings in party or partition walls may be made for the purpose of stairways, in which case all partitions around said openings shall be brick nogged, and all such partitions shall be lathed on both sides with metal or wire lathing and plastered, and all door openings in such partitions shall be furnished with metal covered doors satisfactory to the superintendent. The soffits of all such stairways shall be lathed with metal or wire lathing. Party walls of brick in buildings more

Openings for stairways.

than two stories high shall be at least twelve inches thick to first story floor.

SECT. 27. The exterior walls of every building hereafter erected for or converted to use as a tenement or lodging house, and not having an exposure on an open space, street, court or passageway more than twenty feet in width, shall not exceed thirty feet in height.

Height of exterior walls of tenement, etc.

SECT. 28. All buildings except single dwellings more than two stories high shall have permanent means of access to the roof from the inside. The openings for the same shall not be less than eighteen by thirty inches.

Access to the roof.

SECT. 29. In the erection or alteration of any building, the material of which, in whole or in part, is other than brick, stone or wood, the thickness of walls of such material and the method of construction shall be such as the superintendent shall approve.

Thickness of walls of buildings other than brick.

SECT. 30. Every wooden building hereafter erected shall be not more than three stories in height from the grade of the street or place upon which it is to be erected, nor any part thereof be less than one foot six inches from the line of any adjoining lot, nor if there is a building upon the adjoining lot, be nearer than three feet to such building without the intervention of a brick wall or other incombustible material satisfactory to the superintendent.

Wooden buildings shall be not more than three stories in height, etc.

SECT. 31. No building hereafter erected or altered which is to be used in whole or in part for stable purposes shall be built nearer than five feet to any adjoining lot nor, if there is a dwelling house upon the adjoining lot, be nearer than fifteen feet to such dwelling house<sup>1</sup> without the approval of the city council, except that on the rear line of a lot such stable may be within eighteen inches of <sup>1</sup> such line when it<sup>1</sup> does not intersect the line of any public street.

Building for stable purposes.

SECT. 32. The sills of wooden dwelling houses shall be not less than one foot above the ground to the under side of the same. All basement walls of frame or wooden buildings shall be not less than eight inches thick, if of brick, and sixteen inches thick if of stone. When such walls are eight feet high or more above the surface of the ground, they shall be not less than twelve inches thick if of brick, and not less than eighteen inches thick if of stone.

Sills, basement walls, etc., of wooden dwelling houses.

SECT. 33. Unless otherwise permitted by the statutes of this commonwealth or ordinance of this city, no person shall construct or place or cause to be constructed or placed a portico, porch, door, window, step or other projection projecting into a street except that a special license may be granted to build a cornice

Portico, porch, etc., not to project into street.

<sup>1</sup> Amended Dec. 22, 1898.

when the extreme projection does not exceed twenty inches beyond street line.

Grade of cellars.

SECT. 34. No cellar or basement cellar of any building shall be constructed below the grade of thirteen feet above mean low water, except upon a special written license from the superintendent, and to the extent only as specified in said license. The cellar of every dwelling hereafter built on filled or made land, or where the grade or nature of the ground requires, shall be sufficiently protected from water and damp by a bed at least two inches thick over the whole, of concrete, cement and gravel, tar and gravel, or asphalt, or by bricks laid in cement. The space between any floor and the cellar bottom shall be well ventilated.

Cellar bottoms on made land.

Excavations to be protected.

SECT. 35. All excavations shall be so protected, by sheet piling, if necessary, by the person causing the same to be made, that the adjoining soil shall not cave in by reason of its own weight; or adjoining building shall not thereby be endangered. All permanent excavations within the fire limits shall be protected by retaining walls.

Permanent excavations.

Elevator wells and light shafts.

SECT. 36. All elevator wells and light shafts in buildings more than two stories high, unless built of brick, shall be filled between studs with fire-proof material and lined with metal or plastered on metallic lathing as may be directed by the superintendent.

Mortars.

SECT. 37. All mortars shall be made with such proportion of sand as will ensure a proper degree of cohesion and tenacity, and secure thorough adhesion to the material with which they are to be used, and the superintendent shall condemn all mortars not so made. The following rules must be complied with: Mortar below level of water shall be no poorer than one part cement, two parts sand. Mortar for first-class buildings shall, for one-half their height, be no poorer than one part cement, two parts sand; above, equal parts of cement and lime, and the proper proportion of sand. Mortar for second-class buildings as are below the level of the sidewalk shall be no poorer than the best lime mortar. Exceptions by the superintendent may be made for mortar used in setting stone where cement will stain.

Foundation walls of dwelling houses.

SECT. 38. The foundation walls of all dwelling houses to be hereafter erected shall be constructed of the dimensions and in the manner following, viz:—

Of wooden houses.

For wooden houses not exceeding three stories in height, said foundation walls, if built of rubble stone, shall be not less than sixteen inches thick at the top and twenty inches thick at the bottom, the slope to be upon the outside of the wall, and shall be laid in mortar, as provided in section thirty-seven, and if made of block stone, laid in horizontal courses, shall be laid in cement



mortar; or if made of brick, shall be laid upon stone levellers, not less than twenty inches broad and twelve inches thick, and said brick foundation walls shall not be less than sixteen inches thick, or twelve inches thick with buttresses not less than twelve inches wide, as often as once in ten feet, which shall project four inches at the top, and at the bottom a sufficient distance to give a batter of one in ten.

For brick or stone houses having walls not exceeding twenty-five feet in height above the foundations, the foundation walls shall be built in all respects the same as described in the preceding paragraph, except that they shall be four inches thicker than called for in said paragraph.

Foundation walls of brick or stone houses.

The foundation walls of brick or stone houses having walls exceeding twenty-five feet, and not exceeding forty-five feet in height above the foundation wall, if built of rubble stone, shall be not less than twenty-four inches thick at the top, and thirty inches thick at the bottom, and shall be laid in mortar, the same as provided in the second paragraph of this section; and, if made of block stone, in horizontal courses, or of brick laid in cement, upon stone levellers, not less than thirty inches broad and twelve inches thick, said foundation walls shall not be less than twenty feet thick.

The foundation walls of all brick or stone houses having exterior walls exceeding forty-five feet in height above said foundation walls, if made of rubble stone, shall be not less than thirty inches thick at the top, and thirty-six inches thick at the bottom, and shall be laid in mortar, the same as provided in the second paragraph of this section; and, if made of block stone, laid in horizontal courses, shall be laid in cement mortar; or, if made of brick, laid upon stone levellers, not less than thirty-six inches broad and sixteen inches thick, said foundation walls shall be not less than twenty-four inches thick.

Every building shall have a foundation, the bearing of which shall be not less than four feet below any adjoining surface exposed to frost, and such foundation, with the superstructure which it supports, shall not overload the material on which it rests. No round or boulder stone shall be used in the construction of any foundation walls.

SECT. 39. Foundation walls of all wooden buildings other than dwelling houses, hereafter erected with external walls not exceeding twenty-five feet in height above the foundation walls, if made of common stone shall be of same thickness as required in dwelling houses in section thirty-eight, and foundation walls of all wooden buildings other than dwelling houses hereafter erected with external walls not exceeding thirty-five feet in

Foundation walls of wooden buildings other than dwelling houses.

height above the foundation walls, if made of common stone, shall be not less than twenty inches thick at the top, and thirty inches thick at the bottom, the slope to be upon the outside of the wall, and shall be laid in mortar, the same as hereinbefore provided for the foundations of dwelling houses; and if laid of block stone, in horizontal courses, or of brick, laid in cement, upon stone levellers, not less than thirty inches broad and twelve inches thick, they shall be not less than twenty-four inches thick. The foundation walls of all brick buildings of the height and description mentioned in this section shall be four inches thicker than above stated.

Foundation  
of brick and  
permanent  
buildings.

SECT. 40. The foundation of every brick building and of all permanent buildings must rest on solid ground or levelled surfaces of solid rock, brick, or upon piles, concrete or other solid substructure. The foundation walls of all wooden buildings, other than dwelling houses, hereafter erected with external walls exceeding thirty-five feet in height above the foundation walls, if made of common stone, shall be not less than twenty-four inches thick at the top, and thirty inches thick at the bottom, the slope to be upon the outside of the wall, and shall be laid in mortar, the same as hereinbefore provided for the foundation walls of dwelling houses; and, if made of block stone, laid in horizontal courses, they shall be not less than twenty-eight inches thick. The foundation walls of all brick buildings of the height and description mentioned in this section shall be four inches thicker than above stated. All foundation walls shall be laid at least four inches below the bottom of the cellar.

Piling.

SECT. 41. Whenever piles are required to be driven for a foundation, except as provided in the next section, they shall be of suitable stock, driven to a firm and solid bearing, and the tops shall be cut off on a level to insure constant immersion. There shall be not less than two rows under all external and party walls, and they shall be spaced not over three feet on centres in the direction of the length of the wall, and the number, diameter and bearing of such piles shall be sufficient to support the superstructures proposed.

Buildings over seventy feet in height shall rest where the nature of the ground permits, upon at least three rows of piles or an equivalent number of piles arranged to less than three rows. The superintendent shall determine the grade at which the piles shall be cut.

Capping.

All piles, except as provided in the next section, shall be capped with block granite levellers not less than sixteen inches thick, each stone to have a firm bearing on at least one pile in each row. The superintendent may require any applicant for a

license to ascertain by boring the nature of the ground on which he proposes to build.

SECT. 42. Wooden structures for dwellings, not exceeding two stories in height, may be built on stone or brick foundations, on piers or posts, each set on a hard bottom, but to a depth of not less than four feet below the surface of the ground, or on piles well driven to a hard bottom; said piers, posts and piles to be spaced not more than eight feet on centres, or on mud sills resting on cross-pieces of plank three inches or more in thickness, not less than four feet long and ten inches wide, placed at intervals of not more than three feet on centres; and wooden structures for manufacturing or business purposes, not exceeding three stories in height, may be built on foundations before described, upon a special license being first obtained from the superintendent.

Foundations of structures not over two stories high.

Special license.

SECT. 43. In every brick wall in buildings hereafter erected, every ninth course of brick shall be a heading course, except in walls built with some other bond in which as much as every ninth course is a heading course, and except where walls are faced with face brick, in which case every ninth course shall be bonded with Flemish headers, or by cutting the course of the face brick, and putting in diagonal headers behind the same, or by splitting face brick in half and backing the same by a continuous row of headers. The front, rear, side, end and party walls of all brick buildings hereafter erected shall be anchored to each other every ten feet in their height by tie anchors, made of at least one and a quarter inch by three-eighths inch wrought iron.

Heading courses.

Anchors for walls.

All walls of a brick building on which the ends of beams rest shall be anchored at each tier of beams, at intervals of not more than ten feet apart, with good strong, wrought iron anchors, at least three-eighths inch by one and one-quarter inch, well built into the walls and fastened at the top of the beams; and, where the beams are supported by girders, the ends of the beams resting on the girders shall be butted together, end to end, and strapped by wrought iron straps or tie-irons, at the same distance apart, and in the same beams as the wall anchors, and shall be well fastened.

Straps for beams.

SECT. 44. All brickwork shall be of merchantable, well-shaped bricks, well laid and bedded, with well filled joints, in mortar, as required by section thirty-seven, and well flushed up at every course with mortar. Bricks when laid shall be wet or dry, as the superintendent may direct.

Brickwork.

SECT. 45. All piers shall be built of good quality merchantable, well-burnt hard brick, laid in cement and sand mortar, and well

Piers.

wet when laid in warm weather. Brick piers under lintels, girders or columns of brick buildings shall have an iron cap at least two inches thick, the full size of the pier. Brick piers and buttresses shall be bonded, every seventh course with through courses, levelled and bedded, each course, and, where their foundations rest upon piles, a sufficient number of piles shall be driven to insure a proper support. Piles and walls shall have caps or plates, when needed, sufficient to distribute the load properly. Said piers shall not be more than eight times higher than the width of their base, unless otherwise permitted by the superintendent.

Party and bearing partition walls.

SECT. 46. In first-class buildings all party and bearing partition walls above the foundation shall be of brick or its equivalent.

External and party walls of buildings.

SECT. 47. The external and party walls of all dwellings of the first and second-class shall be as follows: Twenty feet wide by forty feet deep, twelve feet high, shall not be less than eight inches thick; twelve feet to sixty feet high, twelve inches; sixty feet to seventy feet high, sixteen inches to second floor, twelve inches above; seventy feet to eighty feet high, twenty inches to second floor, sixteen inches to upper floor, and twelve inches above; all walls of dwellings over eighty feet in height shall have for the upper eighty feet, the thickness required for building between seventy and eighty feet in height, and every section of twenty-five feet thereof below such upper eighty feet shall have a thickness of four inches more than is required for the section next above it.

External and party walls of buildings other than dwellings.

<sup>1</sup> SECT. 48. The external and party walls of all buildings of the first and second class other than dwellings shall be as follows: Above the foundations of every such building, twenty-five feet or less in height, such walls shall be not less than twelve inches thick. Between twenty-five and forty feet in height such walls shall be sixteen inches thick to the top of the second floor, and twelve inches for the remaining height. Such walls of such buildings of forty feet or over, but not over sixty feet in height, twenty inches to the top of second floor; sixteen inches to the top of the upper floor and twelve inches for the remaining height. Such walls of such buildings of sixty feet or over, but not over eighty feet high, twenty-four inches to the top of the first floor, twenty inches to the top of the upper floor, and to within fifteen feet of the roof and sixteen inches above. Such walls of such buildings of eighty feet or more in height shall have for the upper eighty feet the thickness required for buildings between seventy feet and eighty feet in height and every section of twenty-five feet or part thereof below such eighty feet

<sup>1</sup> Amended Oct. 20, 1897.

shall have a thickness of four inches more than is required for the section next above it.

SECT. 49. External walls may, with the consent of the superintendent, be built in part of iron or steel, and when so built may be of less thickness than is above required for external walls, provided such walls meet the requirements of this ordinance as to strength, and provided that all constructional parts are wholly protected from heat by brick or terra cotta, or by plastering three-quarters of an inch thick, with iron furring and wiring.

External walls may be built of iron or steel.

SECT. 50. All buildings hereafter erected, except buildings of the first class<sup>1</sup> buildings, the external frame work and walls of which consist of incombustible materials satisfactory to the superintendent, buildings of one story in height not exceeding twenty feet to the apex of the roof thereof, and buildings in whole or in part two stories in height not exceeding twenty feet to the apex of the roof of the one-story portion, and thirty feet to the apex of the roof of the two-story portion, exclusive of such cupolas or towers as may be approved by the superintendent, shall be so divided by brick partition walls, of the thickness prescribed for bearing partition walls and carried thirty inches above thereof, that no space inside any such building shall exceed in area five thousand square feet, except upon the recommendation of the superintendent of public buildings, and the approval of the city council, and in no case to exceed seven thousand square feet; and no existing wall in any building, except a building of the first class, shall be removed so as to leave an area not so enclosed of more than five thousand square feet, except upon the recommendation of the superintendent and the approval of the city council, and in no case to exceed seven thousand square feet; provided, that in buildings having a height of not over thirty-five feet, the height above the roof of the said brick partition walls need not exceed twelve inches. Openings or doorways in partition walls referred to in this section shall not exceed two in number for each floor, and the combined area of such openings on each floor shall not exceed one hundred square feet. Each opening must be provided with two sets of metal-covered doors, separated by the thickness of the walls, hung to rabbeted iron frames, or to iron hinges in brick or iron rabbets; provided, this section shall not apply to churches, stables, depots or school-houses; and, provided, also, that no part of any such one-story or two-story building shall be placed or maintained within fifteen feet of any other building or within fifteen feet of the line or lines of the adjoining lot or lots; that the exterior walls of every such one-story or two-story building in whole or in part, except

Brick partition walls.

Openings or doorways in partition walls.

<sup>1</sup> Amended Oct. 12, 1898.

brick and stone buildings, shall be covered with corrugated iron or slate; the roof shall be covered with tar and gravel, corrugated iron or slate, or any other incombustible material satisfactory to the superintendent; and all window openings thereof shall be supplied with tinued or iron shutters; that no space inside any such two-story portion of any such building shall exceed in area five thousand square feet, except upon the recommendation of the superintendent and the approval of the city council, and in no case to exceed seven thousand square feet; that every such area shall be separated from the one-story portion of such building by a brick partition of the thickness prescribed for bearing partition walls, and carried to the roof of the two-story portion of such building; that openings or doorways between the two-story and one-story portions of such buildings shall not exceed two in number for each floor, and the combined area of such openings on each floor shall not exceed four hundred and fifty square feet, each opening or doorway to be furnished with two sets of metal-covered doors set and hung as hereinbefore specified; and, provided, also, that the total area of any such one-story building shall not exceed twenty-five thousand square feet, except upon the recommendation of the superintendent and the approval of the city council.

Vaulted walls.

SECT. 51. Vaulted walls shall contain, exclusive of withes, the same amount of material as is required for solid walls, and the walls on either side of the air space in a wall carrying a floor shall be not less than eight inches thick and shall be securely tied together with ties not more than two feet apart.

Anchors for walls.

SECT. 52. All walls of a first or second-class building meeting at an angle shall be united every ten feet of their height by anchors made of at least two inches by half an inch wrought iron securely built into the side or partition walls not less than thirty-six inches, and into the front and rear walls at least one-half the thickness of such walls.

Party and partition walls.

SECT. 53. Party walls and partition walls of brick in all buildings other than dwelling houses hereafter erected in this city with external walls not exceeding thirty feet in height shall be not less than twelve inches thick; and in buildings having external walls exceeding fifty feet in height said walls shall be not less than twenty inches thick to the top of the second floor, nor less than sixteen inches thick to the top of the third floor, and not less than twelve inches thick for the remaining height. Partitions supporting floors shall rest upon girders, trusses, walls, or partition caps.

External and party walls.

SECT. 54. In all brick buildings other than dwellings thirty feet in width, not having either brick partition walls or girders

supported by columns and running from front to rear, and the entire height of the building, the external and party walls shall be increased four inches in thickness for every additional twenty-five feet or fractional part thereof in the width of said building.

SECT. 55. All roof or floor timbers entering the same party wall from opposite sides shall have at least four inches solid brickwork between the ends of said timbers.

Roof or floor timbers.

SECT. 56. All gas piping shall be done in accordance with the following scale:

Gas piping.

Size of Tubing.	Greatest Length Allowed.	Greatest No. of Burners.
$\frac{3}{8}$ in.	20 ft.	3 burners.
$\frac{1}{2}$	30	6
$\frac{3}{4}$	50	20
1	70	35
$1\frac{1}{4}$	100	60
$1\frac{1}{2}$	150	100
2	200	200

No greater length of pipe of each size shall be allowed than that specified in the scale; and no more burners shall be taken from any size than the number above stated, even if the length of pipe is diminished.

No deviation from the above shall be allowed except in certain cases (as for instance, stables or cellars where a small number of burners are to be used in a large space), upon the written approval of the superintendent.

No work shall be approved in which copper pipe is used.

No cement shall be allowed in any joints or upon any fittings.

No black varnished pipe shall be allowed.

Where the construction of the building will permit, all piping running under the flooring of the building shall be laid on top of the floor timbers.

In all cases the rising pipe shall be left projecting below the floor timber at least three inches, and with threaded end.

In all cases the location of meters shall be determined by the superintendent and shall be as near as possible to the end of service pipe as it enters from the street.

SECT. 57. The ends of all wooden floor or roof beams in first and second-class buildings shall enter the wall to a depth of at least four inches, unless the wall is properly corbelled so as to give a bearing of at least four inches, and the ends of all such beams shall be so shaped or arranged that in case of fire they may fall without injury to the wall.

Wooden floor or roof beams.

SECT. 58. The ends of all floor beams and rafters of a brick building entering a wall shall be cut on a splay of three inches in their width.

Splayed floor beams.

Timbers not to be cut without license.

SECT. 59. No floor timber, header or trimmer of a brick building shall be cut into more than two inches in depth for piping without a license from the superintendent, and no cutting shall be made in any timber at a greater distance than three feet from its support.

Construction of floors.

SECT. 60. Each floor in first or second-class buildings shall have its beams so tied to the walls and to each other with wrought iron straps or anchors at least three-eighths of an inch thick by one and one-half inches wide, as to form continuous ties across the building, not more than ten feet apart. Walls running parallel or nearly parallel with floor beams shall be properly tied once in ten feet to the floor beams by iron straps or anchors of the size above specified.

Floor-bearing supports.

SECT. 61. First and second-class buildings hereafter built shall have floor-bearing supports not over thirty feet apart. These supports may be brick walls, trusses or columns and girders. Such brick walls may be four inches less in thickness than is required by this ordinance for external and party walls of the same height, provided they comply with the provisions of this ordinance as to the strength of materials, but in no case less than twelve inches thick. When trusses are used, the walls upon which they rest shall be at least four inches thicker than is otherwise required by sections forty-eight and forty-nine, and for every addition of twenty-five feet or part thereof to the length of the truss over thirty feet.

Weight-bearing capacity of floors.

SECT. 62. All floors shall be constructed to bear a safe weight, per superficial foot, exclusive of materials, as follows: For dwellings, tenements or lodging houses, seventy-five pounds; for stores and office buildings for light mechanical purposes and for public buildings, one hundred and fifty pounds; for storehouses, warehouses, machine shops, armories, drill rooms and riding schools, not less than two hundred and fifty pounds. The requirements shall apply to all buildings altered as well as to new buildings.

Certificate weight-bearing capacity of floors.

SECT. 63. In every building hereafter built or altered; there shall be posted and maintained in every room used for mechanical or mercantile purposes, the superintendent's certificate of the weight-bearing capacity of the floor. No part of any floor of such room shall be loaded beyond its capacity as certified.

Headers and tail beams.

SECT. 64. Every header more than four feet long used in any building, except a dwelling, shall be hung in stirrup irons of suitable dimensions for the size of the timbers and securely joint-bolted. All tail beams shall be properly framed or hung to headers.

License to cut openings and doorways in partition walls.

SECT. 65. No opening or doorway shall be cut through or formed in a party or partition wall of any building without a



license from the superintendent of public buildings, and every such doorway shall have a top, bottom and sides of stone, brick or iron, and shall be closed by two doors, or sets of doors, of wrought iron, or of wood, covered with metal, with an air space between them of at least four inches, and said doors shall be hung in rabbeted iron frames, or in wooden frames, entirely covered with metal, or to iron hinges, in brick or stone rabbets, except as otherwise permitted by section twenty-six.

SECT. 66. When openings or recesses, or both, occur in an external wall, or when buttresses are used, the piers shall be of sufficient strength to comply with the provisions of this ordinance prescribing strength of materials, and not less in thickness than is above specified, and no other portion of the wall shall be less than twelve inches thick in buildings under seventy feet in height, or less than sixteen inches thick in buildings seventy feet or over in height.

Openings or recesses in external walls.

SECT. 67. No recess, chase or flue shall be made in any party wall so deep that it will leave the thickness at the back less than eight inches at any point, and no recess, chase or flue not vertical shall be made without the special permit of the superintendent. No vertical recess other than flues, in stacks, shall be nearer than seven feet to any other recess, unless by special permit of the superintendent.

Recess, chase or flue in party walls.

SECT. 68. Every metal column in a brick building shall rest on an iron plate of not less thickness than two inches. Wooden columns supporting girders and floors in such buildings shall rest on one and one-half inch iron plates, with sockets to receive the foot of the columns. Metal columns, placed one on top of another, shall have a plate at the top of each column, with projections on both sides to fit into cap and base of columns, to prevent slipping; and all columns shall have holes bored, where directed by the superintendent, into and through the shell at right angles to the shaft, so as to show the thickness of shell. All bearing parts of columns and plates shall be turned or planed to true surfaces.

Columns.

SECT. 69. Where a wall is finished with a stone cornice, the greatest weight of material of such cornice shall be on the inside of the face of the wall.

Stone cornice.

SECT. 70. All buildings hereafter erected within eight feet of any street or travelled way, shall be provided with suitable leaders for conducting the water from the roof to the ground, and, in no case shall such water be allowed to flow upon or across the surface of the sidewalk to the street, gutter, or sewer, and no person shall permit a leader or conductor from the roof of a building owned by him to be so placed or maintained as to direct a volume of water upon or across the surface of a sidewalk.

Conductors of water.

## Leaders.

SECT. 71. All buildings over forty-five feet high shall have suitable water-tight metallic leaders, and all buildings shall have leaders sufficient to carry all the water to the street, gutter or sewer, in such a manner as not to overflow upon the sidewalk or to cause dampness on any wall, yard or area.

## Construction of roofs.

SECT. 72. No part of the roof of any first or second-class building hereafter built over sixty feet high, to be used for mercantile, manufacturing or storage purposes, or as a theatre, hotel, apartment house or office building, shall have a pitch of over twenty degrees. All new or renewed roofs shall be so constructed as to bear safely, in addition to the weight of the material, twenty-five pounds per superficial foot of area, covered with proper additional allowance for a horizontal wind pressure of thirty pounds per square foot. All thin glass skylights upon roofs shall be covered by a wire netting, when, in the opinion of the superintendent, such protection is needed.

## Roof coverings.

SECT. 73. The roof of every second-class building hereafter built within the fire limits shall be covered with tin, iron, slate, gravel, composition or like substantial roofing material not readily inflammable.

## Structure, etc., on roof.

No structure or stand for observation purposes shall be constructed or occupied upon the roof of any building within the city.

## Weight-bearing metals.

SECT. 74. All weight-bearing metal in first and second-class buildings hereafter built shall be protected by brick, terra cotta or plastering on metal laths and furring, or other incombustible material approved by the superintendent.

## Upright supports.

SECT. 75. Upright supports in first-class buildings hereafter erected or altered, of other material than brick below the first floor, shall be protected by a jacket of brick or terra cotta, at least four inches thick, or by a coating of plaster one inch thick, on wire or metal lathing, or other substantial fire-proof material.

## Chimneys.

SECT. 76. All chimneys hereafter erected shall be built from the ground, of hard-burnt brick, stone or other fire-proof, non-conducting materials, and shall be built plumb, or nearly so, so as to be self-sustaining; provided, however, that brick flues may be securely built into the brickwork of the walls of the building to which they are hung, when the walls are not less than twelve inches thick; and provided, also, that upon special permission first obtained from the city council, chimneys may be built upon cast iron or hard pine columns set upon iron plates at least one and one-half inches thick, with sockets and capped at their upper ends with a metal plate at least two inches thick, and not more than two inches shorter upon either side than the

corresponding sides of the chimney; or, upon permission being obtained as above, chimneys may be built upon a flooring of masonry supported by iron beams which have secure bearings on masonry or iron at each end, the same to be constructed in all respects to the satisfaction of the superintendent; and provided, also, that the matter of the construction of chimneys in small wooden buildings, other than dwelling houses, not more than one story and a half in height, shall be left to the decision of the superintendent; but such chimneys must be constructed in accordance with his instructions and to his satisfaction.

SECT. 77. Every chimney flue in which soft coal or wood is burned shall be carried to a height sufficient to protect neighboring buildings from fire and smoke. Chimney flues.

SECT. 78. All brick chimney flues shall be smoothly plastered inside with mortar from top to bottom during the course of construction, and also outside below the roofing, after having been examined and approved by the superintendent; except that exposed portions of said chimneys when the walls of the flues are eight inches thick may be left unplastered upon the outside. All chimneys shall be topped out at least four feet above the highest point of contact with the roof with brick or stones laid in cement, and the topping out shall not have more than a two-inch projection, unless the bricks are covered by a cap of stone or other non-combustible material in one piece, properly secured and approved by the superintendent; and in no case shall a nail be driven into the masonry of any flue.

SECT. 79. The shell of all flues for boilers, ovens and ranges set in brick shall hereafter be of brickwork eight inches thick, or its equivalent, to the top of the first floor above said boilers, ovens or ranges. Ranges set in brick and boilers shall have the outside of their flues exposed without covering, except by plastering directly upon the bricks up to the ceiling of the room, and no woodwork shall be placed on the outside of the same. Shells for boilers, flues, etc.

SECT. 80. No woodwork of any kind, except the roof covering, shall be placed at a less distance than one inch from the outside of the brickwork of any flue. No woodwork shall be placed at a less distance than one inch from any tin or other metal flue or pipe used or intended to be used to convey heated air, hot water or steam in any building, unless such flue or pipe be cased with a metal sleeve of one inch larger diameter than said flue or pipe, so as to permit a free circulation of air all around the same. No part of any floor timber shall be within less than two inches of any chimney. No studding or furring shall be within less than one inch of any chimney. No woodwork to be near flue or steam pipe.

SECT. 81. No smoke pipe shall project through any external Smoke pipes.

wall or window. No smoke pipe shall pass through any wooden partition without a soapstone ring of the thickness of the partition and extending four inches from the pipe, or a double metal collar of the thickness of the partition, with a ventilated air space of not less than four inches around the pipe; nor shall be placed within eight inches of any wood unless such wood is plastered and protected by a metal shield two inches distant from the wood, in which case the smoke pipe shall not be less than six inches from the wood. The tops of all heating furnaces set in brick shall be covered with brick, supported by iron bars, and so constructed as to be perfectly tight; said covering to be in addition to and not less than six inches from the ordinary covering of the hot air chamber. All hot air register boxes hereafter placed in the floors or partitions of buildings shall be set in soapstone or equally incombustible borders not less than two inches in width, and shall be made of tin plate, and have double pipes and boxes properly fitted to the soapstone. Hot air-pipes and register boxes shall be at least one inch from any woodwork, and register boxes fifteen inches by twenty-five inches, or larger, and their connecting pipes shall be two inches from any woodwork. The requirements of this section may be modified or dispensed with by the superintendent in first-class buildings.

**Hearths.**

SECT. 82. All hearths shall be supported by trimmer arches of brick or stone, or be of single stones at least six inches thick, built into the chimney and supported by iron beams, one end of which shall be securely built into the masonry of a chimney or an adjoining wall, or which shall otherwise rest upon incombustible support. The brick jambs of every fireplace, range or grate opening shall be at least eight inches wide each, and the backs of such openings shall be at least eight inches thick. All hearths and trimmer arches shall be at least twelve inches longer on either side than the width of such openings, and at least eighteen inches wide in front of the chimney breast. Brickwork over fireplaces and grate openings shall be supported by proper iron bars or brick or stone arches.

**Boilers.**

SECT. 83. No boiler to be used for steam motive power and no furnace for melting metal or making glass shall be placed on any floor above the cellar or basement, unless the same is set upon masonry built up from the ground, or upon iron beams supported upon masonry; and in no case without a permit from the superintendent; and all woodwork and timbers shall be removed from the floor under the same; provided, however, that furnaces for melting such metals only as fuse at a temperature not exceeding eight hundred degrees Fahrenheit, and that are connected with the chimney by a sheet metal pipe exposed

to view, may be placed upon hollow brick or stone hearths, supported by the wooden floor of the first story or basement, the air spaces in which hearths shall not be less than three inches in perpendicular height and connected by suitable air passages with the atmosphere of the room.

SECT. 84. No stationary boiler, furnace or range set in masonry shall hereafter be placed or its location changed in any building without a license from the superintendent, who shall prescribe such regulations for the setting or placing thereof as in his judgment the public safety may require.

Stationary  
boilers.

SECT. 85. The top of every heating furnace not set in brick shall be kept at least sixteen inches below the beams or ceiling, with a shield of tin plate, made tight, suspended not less than two inches below the said beams or ceiling, and extending at least one foot beyond the top of the furnace on all sides. If the furnace is set in brick and the ceiling is plastered or the beams are covered with metal, the top of the brickwork may be kept within not less than six inches of the ceiling or beams without the intervention of the tin plate shield.

Tops of  
furnaces.

SECT. 86. No woodwork shall be placed within one inch of any metal pipe to be used to convey heated air or steam, unless such pipe is protected by a soapstone or earthen ring or tube or a metal casing, with proper air space around the same satisfactory to the superintendent.

No woodwork  
to be near  
metal pipe.

SECT. 87. Every story above the second of a building subject to the provisions of section nine of this ordinance shall be supplied with means of extinguishing fire, consisting either of pails of water or other portable apparatus, or of a hose attached to a suitable water supply, and capable of reaching any part of such story; and such means of extinguishing fire shall be kept at all times ready for use and in good condition.

Means of  
extinguishing  
fire.

SECT. 88. No wooden flue or air duct for heating or ventilating purposes shall hereafter be placed in any building subject to the provision of section nine of this ordinance, and no pipe for conveying hot air or steam in such building shall be placed, or shall remain placed, nearer than one inch to any woodwork, unless protected to the satisfaction of the superintendent by suitable guards or casings of incombustible material.

No wooden  
flue or air  
duct to be near  
woodwork.

SECT. 89. No steam or hot-water heating apparatus shall be placed in any building now or hereafter built without a license from the superintendent, who shall prescribe such regulations for the setting or placing of the same as in his judgment the public safety may require.

License to set  
steam heaters,  
etc.

SECT. 90. All floor timbers, headers and trimmers of every brick building hereafter erected or altered in which a chimney

Floor timbers,  
etc., not to be  
near flues.



is built in a brick wall shall be placed distant at least two inches from the outside of every chimney flue, and the space between such timbers and the brickwork of the chimney shall be enclosed by a proper fire stop of incombustible material.

Chimneys, etc.,  
how set.

SECT. 91. Every chimney, flue, furnace, boiler or any heating apparatus on any premises shall be so placed and constructed as in the opinion of the superintendent shall not be unsafe or dangerous to life and limb.

Hot air  
registers, how  
made and set.

SECT. 92. All hot air register boxes hereafter placed in the floors or partitions of buildings shall be set in soapstone borders not less than two inches in width, firmly set in plaster of paris or guaged mortar, or in such other protection as shall in the judgment of the superintendent be equivalent to soapstone; shall be made of tin plate, with a flange on the top to the rabbet in the soapstone, and shall have an open space of one inch on all sides, extending from the under side of the ceiling below the register, or the back side of the partition to the soapstone in the floor or partition; the outside of said space to be covered with a casing of tin plate, tight on all sides, and extending from the under side of said ceiling or back side of said partition to and turning under the said soapstone; but register boxes of fifteen by twenty-five inches or more in size shall have a space as above of two inches.

Fire belts and  
stops.

SECT. 93. The insides of all furred brick walls of every building hereafter erected shall have a fire belt or stop composed of some fire-proof material, at least six inches wide, and thoroughly set up between furrings at the top and bottom of each floor, and in each story in which stud walls or partitions are constructed, and rest on walls or other partitions; said stud walls and partitions shall have the spaces between the floor joists immediately under such walls or partitions, and between studs from the under sides of said floor joists, to a line six inches above the tops of said joists, filled solid and flush with the plastering on both sides with mortar, cement, plaster or other incombustible material; and, if such studs or partitions shall rest upon solid timber or joists for the whole length thereof, such filling, as above described, shall be placed from the top of such timber or joists to the same height as above specified; or a strip of tin or galvanized iron, at least one inch wider than the width of said studding, and continuing under the footing of said walls or partitions, may be substituted for the filling above specified where there is no partition or wall beneath. The exterior and interior walls of all wooden buildings hereafter erected shall have the space between the studding at the top and bottom of each story divided or separated by a fire stop, so as to check effectually the draft

from one story to another, and from the vertical spaces in the walls to the horizontal passages between the floor timbers. The spaces between stringers or carriages of all wooden staircases, unless said stringers or carriages are left exposed, shall be closed at intervals not exceeding three feet by substantial stops of incombustible material.

Wooden staircases, how protected.

SECT. 94. The various forms of construction tending to create or form air passages from one story to another, such as spaces around pipes, ventilating shafts, or chimneys furred off to form breasts, in every building hereafter erected or altered, shall have a fire and smoke stop at each floor, approved by the superintendent, which fire and smoke stop in all brick buildings shall be of incombustible material. All ventilation ducts shall be of incombustible material.

Fire and smoke stops.

SECT. 95. Every building hereafter erected upon the line, or within five feet of the line of any street and having a slated pitch roof, sloping towards said street, shall be provided with suitable snow barriers or guards upon said roof, to prevent the snow sliding therefrom, the same to be constructed and applied to the satisfaction of the superintendent.

Snow barriers, etc., for slated roofs.

SECT. 96. In every second-class building hereafter erected within the fire limits all exterior parts more than forty-five feet above the sidewalk, except window frame sashes and blinds, shall be made of metal, stone, brick or other incombustible material.

Exterior parts of buildings within fire limits.

SECT. 97. Whenever any person is about to erect, alter or remove the exterior walls of a building, within five feet or on the line of a street, he shall cause the portion of the site of the building bordering upon the street to be closed by a proper fence, no less than four feet high; and the fence shall be made as much higher as the superintendent shall direct, and the same shall be maintained until all liability to accident from falling material ceases.

Fence to enclose while building.

SECT. 98. For the better protection of the lives and property of the inhabitants and other persons, it is hereby ordained that: The territory at and within the distance of three miles from the present city hall be and is hereby established as a fire limit.

Line of fire limit.

SECT. 99. Within the fire limit, so established, no structure or building of more than three stories in height, designed to be used in whole or in part as a public building, public or private institution, a public hotel, family hotel, apartment house, lodging house, tenement house, schoolhouse, church, theatre, public hall, place of assembly or place of public resort, shall be erected within twenty feet of any other structure or building, unless the exterior walls of such structure or building to be erected are made of or covered with some incombustible material.

Distance between buildings within fire limits.

Dwelling  
houses within  
fire limits.

SECT. 100. Within the fire limit, as established, all dwelling houses of more than two stories in height, now or hereafter erected, and within the distance of ten feet from any other building or structure, shall be furnished with a front and rear stairway, or some equally safe means of egress.

Elevators, etc.

SECT. 101. Elevators or hoists for freight which do not pass the ceiling of the first story may be constructed without fireproof enclosures above the basement. In existing buildings or in buildings hereafter erected in compliance with this ordinance, freight and passenger elevators without fireproof enclosures may be placed in areas or hallways which are continuous and unbroken, no part being separated from another part by an intervening floor; provided, that no additional draft of air is thereby created. In such buildings such elevators may pass through the first floor of any area or hallway; provided, a fireproof enclosure be carried

Shafts.

up to the first floor. Except as above provided, all shafts hereafter built for elevators, hoists, dumb-waiters, lifts, light and ventilating shafts or other air ducts, shall be constructed of, and if they do not pass the upper floor, their tops shall be covered with some substantial material not inflammable. All such shafts which pass the top floor shall be carried at least eighteen inches above the roof and be covered with a skylight. Such shafts already constructed, except lifts of twenty-eight inches square, or of less area, and except in dwelling houses to be occupied by not more than one family, shall be lined with tin or plastered on wire lathing, or otherwise rendered non-inflammable on the inside. Such shafts hereafter built for freight and passenger elevators shall be of brick at least eight inches thick, or of metal covered on both sides with at least one inch of plaster applied immediately to the metal, or with some other equally substantial, non-inflammable, non-conducting, material. Every entrance opening in a shaft or hoistway within two and one-half feet above the floor shall be protected by sufficient rails, gates, trapdoors or such other device as shall be equivalent thereto. Every elevator shall be provided with some sufficient arrangement to prevent the falling of the car in case of accident. Overhead elevator machinery shall have underneath it a grille sufficient to protect the car from falling material. Every opening into an elevator shaft or hoistway, and every opening through a floor, other than a stairway, shall be closed when not in use. All inside elevator shaft openings, other than openings in passenger elevator shafts, shall be furnished with metal-covered doors hung to rabbeted iron frames, and shall have iron thresholds, and said doors shall be kept closed when not in use. Outside windows or openings of every elevator shaft shall have



three vertical iron bars painted red, equally dividing the opening. Every part of any elevator not enclosed in a shaft shall be protected by a wire grille.

SECT. 102. No elevator shall be used in any building until after written approval by the superintendent.

SECT. 103. In case any freight or passenger elevator is not constructed and furnished in compliance with this Ordinance, or has become unsafe, the superintendent shall post a conspicuous warning and prohibition at each entrance to such elevator. It shall, thereafter, until a new written license is given by the superintendent, be a penal offence hereunder to operate said elevator, or remove or deface said notice. No freight or passenger elevator shall be operated for more than six months after the date of the superintendent's license, unless a certificate signed by some elevator builder that the elevator is safe and in good order has been furnished within six months, and is posted in the car or at the entrance.

Defective elevators.

SECT. 104. No explosive or inflammable compound or combustible material shall be stored or placed under any stairway of any building, or used in any such place or manner as to obstruct or render egress hazardous in case of fire.

Storage of explosives.

SECT. 105. Every building, except churches and schoolhouses, hereafter built or altered as to contain an audience or assembly hall capable of holding eight hundred persons or more, and every theatre hereafter built, shall be a first or second-class building. In all theatres hereafter erected the level of the stage above the street level shall not exceed five feet. The audience hall and each compartment, division and gallery of every such building shall respectively have at least two independent exits, as far apart as may be. Every such exit shall have a width of at least twenty inches for every hundred persons which the hall, compartment, division or gallery from which it leads is capable of containing; provided, that two or more exits of the same aggregate width may be substituted for either of the two exits above required. None of the exits above required shall be less than five feet wide.

Audience halls, etc.: Construction.

SECT. 106. Every building of the classes referred to in section one hundred and five hereafter built shall have a frontage as wide as the widest part of the auditorium or assembly hall, including side passages or lobbies, the whole width and height of which frontage shall be upon a street, court, passageway or area open to the sky, and at least thirty feet wide opposite the entire frontage. Such court, passageway or area shall have an unobstructed way at least thirty feet wide, either through a first-class building without openings into any second or third-class building, or

Audience halls, etc.: Frontage.

- Exits.** wholly open to the sky, connecting it with a public street at least thirty feet wide. There shall be at least one exit on this front which shall be in no case less than five feet in width, and of such greater width as an allowance of twenty inches for each one hundred persons which the building may at any time contain will in the aggregate require. There shall be another independent exit of the same capacity, or independent exits of the same aggregate capacity, either through a first-class building without openings into any second or third-class building, or through a passageway open to the sky. All doors shall open outward, and shall not be so placed as to reduce the width of the passage above required.
- Aisles.** All aisles, stairways and passages in such buildings shall be of even or increasing width toward the exit, at least seven feet high throughout, without obstruction below that height properly arranged for the easy egress of the audience, and of a width in respect of each division, gallery or compartment, computed according to the above rule. No aisle or passage in such buildings, rising toward its exit, except stairways from story to story and necessary steps in galleries and balconies, shall have a gradient within the auditorium of more than two in ten, nor elsewhere of more than one in ten.
- Audience halls, etc.: Stair stringers, winders.** **SECT. 107.** In buildings of the classes referred to in section one hundred and five hereafter built, the cut of the stair stringers shall not exceed seven and one-half inches' rise, nor be less than ten and one-half inches' tread. No winders shall be less than seven inches wide at the narrowest part. There shall be no flights of more than fifteen or less than three steps between landings. Every landing shall be at least four feet wide from step to step.
- Audience halls, etc.: Stairs and landings.** **SECT. 108.** All stairs and landings of all buildings of the classes referred to in section one hundred and five hereafter built shall have throughout proper hand rails on both sides firmly secured to walls, or to strong posts or balusters. Stairways twelve feet or more wide shall have one or more intermediate rails not more than eight feet apart and properly supported.
- Audience halls, etc.: Boilers, etc.** **SECT. 109.** No boiler, furnace, engine or heating apparatus, except steam or hot air pipes and radiators, shall be located under the auditorium nor under any passage or stairway of any exit of any building of the classes referred to in section one hundred and five.
- Audience halls, etc.: Lights.** **SECT. 110.** The lights for the rear of the auditorium, and for all passage and stairways of exits of every building of the classes referred to in section one hundred and five hereafter built, shall be independent of the lights of the rest of the auditorium and of

the platform or stage, and shall be so arranged that they cannot be turned down or off from the platform or stage.

SECT. 111. All exits from every building of the classes referred to in section one hundred and five shall be opened for the use of every departing audience, and shall have fastenings on the inside only.

Audience halls,  
etc.: Exits

SECT. 112. No temporary seats or other obstructions shall be allowed in any aisle, passageway or stairway of a building of the classes referred to in section one hundred and five, and no person shall be allowed to remain in any aisle, passageway or stairway of any such building during any performance.

Audience halls,  
etc.: Obstruc-  
tions, etc., in  
aisle.

SECT. 113. The stage of every theatre hereafter built shall be separated from the auditorium by a brick wall sixteen inches thick, which wall shall extend the entire width and height of the building, and two feet six inches above the roof, like a party wall. There shall be no openings through this wall except the curtain opening, and not more than two others, which shall be located at or below the level of the stage; these latter openings shall not exceed twenty-one superficial feet each, and shall have tinned wood self-closing doors securely hung to rabbeted iron frames or rabbets in the brickwork. The finish or decorative features around the curtain opening of every theatre shall be of incombustible materials, well secured to masonry. All scenery, curtains and woodwork of the stage of every theatre shall be thoroughly covered, and, if practicable, saturated with fire-resisting material. No fixed portion of the stage shall be of wood.

Theatres:  
Stage.

SECT. 114. There shall be lobbies adjoining each division of the auditorium of every theatre hereafter built, separated therefrom by a partition of brick or other equally incombustible material, and sufficiently large to furnish standing room for all persons that such division may at any time contain. There shall be no openings in such partition except such as are required in section one hundred and five, and such openings shall not be more than eight feet high.

Theatres:  
Lobbies.

SECT. 115. The proscenium or curtain of every theatre shall have a fire-resisting curtain of incombustible material, reinforced by wire netting, or otherwise strengthened. If of iron, or similar heavy material, and made to lower from the top, it shall be so contrived as to be stopped securely at a height of seven feet above the stage floor; the remaining opening being closed by a curtain or valance of fire-resisting fabric. Such curtain shall be raised at the beginning and lowered at the end of each and every performance, and shall be of proper material, construction and mechanism.

Theatres:  
Proscenium or  
curtain.

SECT. 116. All scene docks, carpenter or property shops and

Theatres:  
Scene docks,  
etc.

wardrobes of every theatre hereafter built shall be separated from the stage, auditorium and dressing-room divisions by solid brick walls, not less than twelve inches thick, with no openings to the auditorium or dressing-room divisions; and all openings to the stage shall have tinned wood self-closing doors, securely hung to rabbets in the brickwork.

Theatres.  
Employees'  
rooms, gas  
lights.

SECT. 117. All rooms in theatres for the use of persons employed therein shall have at least two independent exits. All stage gas lights shall be protected by proper nettings.

Theatres:  
Ventilators.

SECT. 118. There shall be one or more ventilators near the centre and above the highest portion of the stage of every theatre, equal in combined area of opening to one-tenth of the area of stage floor. Every such ventilator shall have a valve or louver so counterbalanced as to open automatically, and shall be kept closed, when not in use, by a cord reaching to the prompter's desk, and readily operated therefrom. Such cord shall be of combustible material and so arranged that if it is severed, the ventilator will open automatically.

Theatres:  
High-service  
standpipes.

SECT. 119. There shall be at least two two-inch high-service standpipes on the stage of every theatre, with ample provision of hose and nozzles at each level of the stage on each side, and the water shall be kept turned on during the occupation of the building by any audience. The said pipes shall have two gates, one above the other, with a proper test or waste valve; the lower gate to be kept open at all times. The proscenium opening of every theatre shall be provided with a two and one-half inch perforated iron pipe, or equivalent equipment of automatic or open sprinklers, as the superintendent may direct, so constructed as to form when in operation a complete water curtain for the entire proscenium opening, and there shall be for the rest of the stage a complete system of fire apparatus and perforated iron pipes, automatic or open sprinklers. Said pipes or sprinklers shall be supplied with water by high-pressure service, and be at all times ready for use.

Halls, etc.:  
Ventilation

Every hall, auditorium or room of every building hereafter erected for or converted to use as a schoolhouse, factory, theatre or place of public assembly or entertainment, shall have in continuous operation while occupied a system of ventilation so contrived as to provide fifty cubic feet per minute of outer air for each light other than an electric light for each occupant.

Tenements,  
etc.: Ventila-  
tion.

SECT. 120. Every existing tenement or lodging house shall have in every sleeping room not communicating directly with the external air two ventilating or transom windows of not less than six square feet area each, one opening into another room or passage having an external window of not less than six

square feet area, with movable sashes. No transom window shall be placed in a partition wall enclosing a main stairway.

SECT. 121. Every room in every tenement or lodging house hereafter built, and in every building hereafter altered to be used as such, shall be not less than eight feet in height in the clear in every story, except that in the attic it may be less than eight feet high for one-half of the area of the room. Every such room shall have one or more windows on an open air space with an area at least one-tenth as great as that of the room. The top of at least one window on such air space in each room shall be at least seven feet six inches from the floor, and the upper sash of the same window shall be movable.

Tenements, etc.: Height of rooms, and windows.

SECT. 122. No building of which any part is used for storage or sale of hay, straw, hemp, flax, shavings, burning fluid, turpentine, camphene or any inflammable oil, or other highly combustible substance, shall be occupied in any part as a dwelling, tenement or lodging house, except that rooms for coachmen or grooms may be allowed in private stables authorized by this act, upon special permit from the superintendent.

Buildings used for storage.

SECT. 123. All stationary receptacles in a building for ashes, waste and other substances, liable, by spontaneous combustion, or otherwise, to cause a fire in a building, shall be made of incombustible material satisfactory to the superintendent.

Receptacles for ashes, etc.

SECT. 124. Every lodging house containing over fifty rooms above the first floor, and every tenement house containing more than fifty sleeping rooms above the first floor, shall have at least one night watchman exclusively so employed on duty every night from nine o'clock at night until six o'clock in the morning; and every lodging house of the second or third class containing more than one hundred rooms above the first floor, and every tenement house containing more than one hundred sleeping rooms above the first floor, shall have at least two night watchmen exclusively so employed on duty every night from nine o'clock at night until six o'clock in the morning. But in the latter class of lodging and tenement houses a proper system of thermostats or automatic fire alarms, approved in writing by the superintendent, may be substituted for one of the watchmen. In all lodging or tenement houses of either of the above classes a red light shall be kept burning at night at the head and foot of every flight of stairs, and one or more gongs shall be so placed and be of such size and number as to give the alarm throughout the house in case of fire; and in every sleeping room there shall be conspicuously posted directions for escape in case of fire. The superintendent may make such other or further requirements for prevention of and escape from fire as may be reasonably neces-

Lodging houses, etc.: Night watchman.

Automatic fire-alarm.

sary under the conditions of each case. Any innholder who fails to comply with the provisions of this section shall thereby forfeit his license.

Lodging-  
houses, etc. :  
Water-closets.

SECT. 125. Every dwelling, tenement or lodging house, every schoolhouse and every building where operatives are employed shall have at least one water-closet or privy, and if more than twenty persons therein live, attend or are employed, there shall be an additional water-closet or privy for every twenty persons or fraction thereof; and in buildings where operatives of both sexes are employed separate accommodations shall be furnished for men and women. Privies or cesspools shall not be allowed where a sewer makes water-closets practicable. Every water-closet in every building hereafter erected for or converted to use as a tenement house, family hotel or apartment house shall have a window opening to the outer air.

Storage or  
manufacture  
of combusti-  
bles, or explo-  
sives.

SECT. 126. No grain elevator or building for the storing or manufacture of high combustibles or explosives, or for chemical or rendering works, shall be erected, and no engine, dynamo, boiler or furnace, except exclusively for the heating of or to raise elevators in the building in which it is shall be placed in any building without a license issued under the provisions of sections one hundred and twenty-seven, one hundred and twenty-eight and one hundred and twenty-nine.

License  
required.

Application for  
license.

SECT. 127. Every application for a license required by section one hundred and twenty-six shall be filed with the superintendent in writing, and shall set forth the location and character of the building, the size, power and purpose of the apparatus, with such further information as the superintendent may require.

Application to  
be published.

SECT. 128. Every such application shall be published in at least two weekly papers published in Cambridge; and the applicant shall also, if so directed by the superintendent, conspicuously post on the premises a copy of an application, and deliver copies thereof to such persons as the superintendent may direct, and shall file an affidavit with the superintendent that the notice required has been duly given. If no objection is filed with the superintendent before the expiration of ten days from the time of the first publication of notice, or within ten days of the delivery and first posting notice if required, the superintendent shall, if the arrangement, location and construction of the proposed apparatus is proper, and in accordance with the terms of this ordinance, issue a permit for the same. But if such objection is filed, the application shall be returned to the superintendent for further consideration.

Objections.

Notice of  
hearing.

SECT. 129. The superintendent shall in each case cause due notice to be given to all parties of the time and place of hearing,

and after hearing the parties he shall issue a license under such conditions as may be prescribed, or may withhold the same.

SECT. 130. Within the following described districts of the fire limits no building other than the first, second and third classes shall hereafter be erected:—

Fire limit districts:  
Mass. ave.

First. Starting from the westerly end of Harvard bridge on Massachusetts avenue and running continuously therefrom on both sides of Massachusetts avenue to Waterhouse street, including Lafayette, Central, Putnam, Quincy and Harvard squares and within the area included between the city building lines wherever established on said Massachusetts avenue and squares and where such building lines are not established, within the area included between the lines of private ownership adjacent to the lines of said Massachusetts avenue and squares and a line distant one hundred feet to the right and left at right angles from each and every point of said building lines and said street lines of private ownership on both sides of said Massachusetts avenue and all sides of said squares between the westerly end of Harvard bridge and said Waterhouse street as aforesaid.

Second. Starting from the westerly end of Craigie bridge and running continuously therefrom on both sides of Bridge street to and including Lechmere square, and thence running continuously westerly on both sides of Cambridge street to and including Inman square, and within the area included between the city building lines wherever established on said Bridge and Cambridge streets and said squares and where building lines are not so established, within the area included between the lines of private ownership adjacent to the lines of said Bridge and Cambridge streets and said squares and a line distant one hundred feet to the right and left at right angles from each and every point of said building lines and said street lines of private ownership on both sides of said Bridge and Cambridge streets and all sides of said squares between the westerly end of Craigie bridge and Inman square as aforesaid.

Fire limit districts:  
Cambridge st.

Third. Starting from the harbor commissioners' line on the westerly side of Charles river on the westerly end of West Boston bridge, and running continuously on both sides of Main street to and including Kendall square and Smith square, and thence running continuously westerly on both sides of said Main street to its intersection with Massachusetts avenue at Lafayette square and within the area included between the city building lines wherever established in said Main street and said squares and where building lines are not so established within the area included between the lines of private ownership adjacent to the

Fire limit districts:  
Main st.

lines of said Main street and said squares and a line distant one hundred feet to the right and left at right angles from each and every point of said building lines and said street lines of private ownership on both sides of said Main street and all sides of said squares between the harbor commissioners' line on the westerly end of West Boston bridge to Lafayette square as aforesaid.

Fire limit  
districts:  
Brattle st.

Fourth. All that territory which lies south and west and is bounded northerly and easterly by the first fire district above described, and is included on all its other sides within and is bounded westerly and southerly by the following lines: Commencing at a point in the westerly limit of said first fire district one hundred feet northerly from the northerly line of Church street, thence running continuously southwesterly and southerly on a line distant one hundred feet at right angles from each and every point of the northerly or westerly line of said Church street to Brattle street, and thence across said Brattle street, at right angles therewith, and then continuing in the same line to a point on property of private persons distant one hundred feet southerly from the southerly line of Brattle street; thence running easterly continuously on a line distant one hundred feet, at right angles, from each and every point of the southerly line of said Brattle street, across Brattle square to the intersection of the southerly line of Mt. Auburn street with said Brattle square; thence northeasterly continuously along and bounded by the southerly line of Mt. Auburn street to Putnam square and the southerly boundary line of the first fire district above mentioned.

Fire limit  
districts:  
Broadway.

Fifth. Commencing at the intersection of the southerly line of Broadway with the westerly line of Sixth street and running continuously westerly therefrom on the southerly side of Broadway to Clark street and within the area included between the lines of private ownership adjacent to the southerly line of said Broadway and a line distant one hundred feet to the left at right angles from each and every point of said street lines of private ownership on the southerly side of Broadway, between said Sixth street and said Clark street.

Fire limit  
districts:  
Broadway.

Sixth. All that territory which is included between the following lines: Commencing at the intersection of the westerly line of Third street with the southerly line of Broad Canal; thence running continuously northwesterly along and bounded by the southerly line of said Broad Canal and the division line between Ward two and three to the southerly line of said Potter street; thence running continuously westerly along and bounded by the southerly line of said Potter street to the easterly line of Portland street; then running continuously southerly along and



bounded by said easterly line of Portland street to the northerly line of Broadway; thence running continuously easterly along across Mechanics' square and bounded by the northerly line of said Mechanics' square and said Broadway to the westerly line of said Third street; thence running continuously northerly along and bounded by the westerly line of said Third street to the point of beginning.

Seventh. All that territory which lies south and is bounded northerly by the second fire district, above described, and is included on all its other sides within and is bounded easterly, southerly and westerly by the following lines: Commencing at a point in the southerly limit of said second fire district on the westerly side of First street one hundred feet southerly from the southerly line of Cambridge street; thence running continuously southerly along and bounded by said westerly line of First street to the northerly line of Spring street; thence running continuously westerly along and bounded by said northerly line of said Spring street across said Third street to a point distant one hundred feet westerly from the westerly line of said Third street; thence running northerly continuously therefrom on a line distant one hundred feet to the left at right angles from each and every point of the street lines of private ownership on said westerly side of Third street to the southerly line of Cambridge street and the second fire district above described.

Fire limit districts: First st.

Eighth. Starting from the westerly side of the location of the Fitchburg Railroad Company on Massachusetts avenue and running westerly continuously therefrom on both sides of Massachusetts avenue to Rindge avenue and within the area included between the lines of said Massachusetts avenue and a line distant one hundred feet to the right and left at right angles from each and every point of said street lines of private ownership on both sides of said Massachusetts avenue between the westerly side of said railroad location and said Rindge avenue as aforesaid.

Fire limit districts: Mass. ave.

In this ordinance the titles Lafayette square, Central square, Putnam square, Quincy square and Harvard square, Lechmere square, Inman square, Kendall square and Smith square shall mean the respective areas included within the following boundaries, viz:

*Lafayette Square.*

Beginning at a point in the northerly line of Main street at its intersection with easterly line of Columbia street; thence southerly by a line at right angles to said line of Main street 70 feet to its intersection with the southerly line of Main street; thence westerly along the southerly line of Main street about 3 feet to the tangent point of a curve; thence westerly, southerly and east-

Fire limit districts: Lafayette

erly along said curve of 18 feet radius about 46.2 feet to its other tangent point in the northeasterly line of Massachusetts avenue; thence southwesterly by a line at right angles to said line of Massachusetts avenue about 91 feet to its intersection with the southwesterly line of Massachusetts avenue; thence northwesterly along said southwesterly line of Massachusetts avenue about 202 feet; thence northeasterly by a line at right angles to the southwesterly line of Massachusetts avenue 103 feet to its intersection with the northeasterly line of said avenue; thence easterly along the northeasterly line of Massachusetts avenue and the northerly line of Main street about 179 feet to its intersection with the easterly line of Columbia street at the point of beginning.

*Central Square.*

Fire limit  
districts:  
Central sq.

Beginning at a point in the southwesterly line of Massachusetts avenue at its intersection with the southerly line of Western avenue; thence westerly along said southerly line about 124 feet to its intersection with the southeasterly line of Magazine street; thence southwesterly along said southeasterly line of Magazine street about 140 feet to its intersection with the southwesterly line of Green street; thence northwesterly along said southwesterly line of Green street about 227 feet to its intersection with the northerly line of Western avenue; thence easterly along said northerly line of Western avenue about 191 feet to its intersection with the northwesterly line of Central square; thence northwesterly along said northwesterly line of Central square about 191 feet to its intersection with the northeasterly line of Massachusetts avenue; thence southeasterly along said northeasterly line of Massachusetts avenue about 182 feet; thence southwesterly by a line at right angles to the northeasterly line of Massachusetts avenue about 103 feet to its intersection with the southwesterly line of Massachusetts avenue at the point of beginning.

*Putnam Square.*

Fire limit  
districts:  
Putnam sq.

Beginning at a point in the southwesterly line of Mt. Auburn street at its intersection with the westerly line of Putnam avenue; thence northerly along said line of Putnam avenue 92 feet to its intersection with the southwesterly line of Massachusetts avenue; thence northeasterly by a line at right angles to said line of Massachusetts avenue 62 feet to its intersection with the northeasterly line of Massachusetts avenue; thence southeasterly along said northeasterly line about 215 feet; thence southwesterly by a line at right angles to the southwesterly line of Massachusetts avenue about 66 feet to its intersection with said

southwesterly line; thence along the southwesterly line of Massachusetts avenue and Mt. Auburn street about 190 feet to its intersection with the westerly line of Putnam avenue at the point of beginning.

*Quincy Square.*

Beginning at a point in the northeasterly line of Harvard street at its intersection with the easterly line of Quincy street; thence southerly along said line of Quincy street about 211 feet to its intersection with the southwesterly line of Massachusetts avenue; thence northwesterly along said southwesterly line about 300 feet; thence northeasterly by a line at right angles to said southwesterly line about 85 feet to its intersection with the northeasterly line of Harvard street; thence southeasterly along said line of Harvard street about 198 feet to its intersection with the easterly line of Quincy street at the point of beginning.

Fire limit districts: Quincy sq.

*Harvard Square.*

Beginning at a point in the northwesterly line of Massachusetts avenue at its intersection with the northerly line of Brattle street; thence in a generally northerly direction along said line of Massachusetts avenue about 552 feet; thence northeasterly by a line at right angles to the said line of Massachusetts avenue about 67 feet to its intersection with the northeasterly line of Massachusetts avenue; thence southerly, easterly and northerly by a curve line of 38 feet radius about 100 feet; thence easterly by a line at right angles to the westerly line of Peabody street 66 feet to its intersection with the easterly line of Peabody street; thence southerly along said easterly line about 433 feet; thence southerly and easterly by a curved line of varying radius about 188 feet; thence southwesterly about 88 feet to the intersection of the southwesterly line of Massachusetts avenue with the northeasterly line of Dunster street; thence northwesterly along the southwesterly line of Massachusetts avenue about 218 feet to its intersection with the northwesterly line of Massachusetts avenue; thence northeasterly along said northwesterly line about 40 feet to its intersection with the northerly line of Brattle street at the point of beginning.

Fire limit districts: Harvard sq.

*Lechmere Square.*

Beginning at a point in the southerly line of Cambridge street at its intersection with the southwesterly line of Bridge street; thence westerly along said line of Cambridge street about 343 feet to its intersection with the northwesterly line of Lechmere square; thence northeasterly along said northwesterly line of Lechmere square about 219 feet to its intersection with the

Fire limit districts: Lechmere sq.

northeasterly line of Bridge street; thence southeasterly along said northeasterly line of Bridge street about 318 feet, thence southwesterly by a line at right angles to the northeasterly line of Bridge street about 77 feet to its intersection with the southwesterly line of Bridge street at the point of beginning.

*Inman Square.*

Fire limit  
districts:  
Inman sq.

Beginning at a point in the southerly line of Cambridge street at its intersection with the northeasterly line of Hampshire street; thence southwesterly by a line at right angles to said line of Hampshire street 66 feet to its intersection with the southwesterly line of Hampshire street; thence northwesterly along said line of Hampshire street about 85 feet to its intersection with the southerly line of Cambridge street; thence westerly along said southerly line of Cambridge street about 121 feet; thence northerly by a line at right angle to said line of Cambridge street 66 feet to its intersection with the northerly line of Cambridge street, at the tangent point of a curve; thence easterly and northerly along said curve of 1275 feet radius about 315 feet to its other tangent point in the southwesterly line of Hampshire street; thence by a line at right angles to said line of Hampshire street 66 feet to its intersection with the northeasterly line of Hampshire street; thence southeasterly along said northeasterly line of Hampshire street about 120 feet to its intersection with the northerly line of Cambridge street; thence easterly along said northerly line of Cambridge street 92 feet; thence southwesterly across Cambridge street about 67 feet to the point of beginning.

*Kendall Square.*

Fire limit  
districts:  
Kendall sq.

Beginning at a point in the northeasterly line of Broadway at its intersection with the northwesterly line of Third street; thence southeasterly along said line of Broadway about 318 feet to its intersection with the northerly line of Main street; thence by a line at right angles to said northerly line of Main street 70 feet to its intersection with the southerly line of Main street; thence westerly along said southerly line of Main street about 380 feet to its intersection with the northwesterly line of Third street produced and extended southerly; thence northeasterly along said extension and northwesterly line of Third street about 218 feet to its intersection with the northeasterly line of Broadway, at the point of beginning.

*Smith Square.*

Fire limit  
districts:  
Smith sq.

Beginning at a point in the northeasterly line of Harvard street, at its intersection with the northwesterly line of Sixth

street; thence southeasterly along said line of Harvard street about 224 feet to its intersection with the northerly line of Main street; thence southerly by a line at right angles to said line of Main street 70 feet to its intersection with the southerly line of Main street; thence westerly along said southerly line about 223 feet; thence northerly by a line at right angles to said southerly line about 120 feet to its intersection with the southwesterly line of Harvard street; thence northeasterly by a line at right angles to said southwesterly line of Harvard street 50 feet to its intersection with the northeasterly line of Harvard street at the point of beginning.

SECT. 131. In this ordinance a building of the first class shall mean and be a building of non-inflammable material throughout, with floors constructed of iron or steel beams filled in between with terra cotta or other masonry arches, except that wood may be used for under and upper floors, window and door frames, sashes, doors, standing finish, hand rails for stairs, necessary sleepers bedded in concrete and for isolated furring blocks bedded in the plaster. There shall be no air space between the top of any floor arches and the floor boarding, and no air space behind any woodwork.

Buildings of the first class: Construction.

SECT. 132. Every building hereafter erected over seventy feet high shall be a first-class building, and this provision shall apply to all buildings hereafter increased in height to over seventy feet. Every building hereafter erected or enlarged as a hotel for the accommodation of guests and containing more than fifty rooms above the first floor shall be a first-class building.

Buildings of the first class: Height.

Capacity.

SECT. 133. A building of the second class shall mean and be a building not of the first class, the external and party walls of which shall be of brick, stone, iron or other equally substantial and incombustible material. A building of the third class shall mean and include only the following structures: Wharves, sheds on wharves, not exceeding twenty-five feet in height; sheds not exceeding twenty-five feet in height to be used and occupied solely for market purposes; temporary structures not exceeding twenty-five feet in height erected and used solely to facilitate the erection of other authorized buildings and structures; grain and coal elevators; and buildings to be used and occupied solely for the storage of coal, grain, and lumber.

Buildings of the second class.

Buildings of the third class.

SECT. 134. All the external parts of all structures included in the third class of buildings in the fire limits shall be wholly covered with slate, tile, metal or other equally incombustible material, and the mode of construction and location of all such structures shall be subject to and conditional upon the approval of the Superintendent.

Buildings of the third class; construction and location.

Removal of wooden buildings within fire limits.

SECT. 135. No wooden building, wall or structure shall be moved from place to place on the same lot or from one lot to another within the districts described in section one hundred and thirty of this Ordinance or from without said district into either of the same, except upon a license from the superintendent.

Erection or alteration of buildings within the fire limits.

SECT. 136. Hereafter within the districts described in section one hundred and thirty of this ordinance, except as is hereafter provided, no building, wall or structure shall be erected or altered, and no building, wall or structure, damaged by fire or other casualty, shall be repaired or restored to its former condition, and no work upon or in the erection of any such building, wall or structure which impairs the strength or increases the fire risk of any such or other wall, structure or building shall be done, except upon a license from the superintendent and in conformity with the provisions of this ordinance.

Provided, however, that any wooden building within said districts may be altered or repaired in the manner as provided in this ordinance in the construction of first and second-class buildings in the fire limits, and as may be approved by the superintendent.

Alteration of buildings within fire limits.

SECT. 137. Within the aforesaid districts, except as is provided in the preceding section, any alterations made in a structure shall conform to the provisions of this ordinance for a new structure, but if the alteration to be made is of such an extent as when done, in the opinion of the superintendent, to practically produce a new structure or impair the stability or increase the fire risk, then the entire structure shall be made to conform to the provisions of this ordinance for a new structure. A building damaged by fire or other casualty within said districts may be repaired or restored so as to conform to its original condition, or may be reconstructed in certain or all of its parts, so as to conform to the requirements of this ordinance for new buildings, as the superintendent may specify in his license.

Partition walls in brick buildings.

SECT. 138. Every brick building hereafter erected more than fifty feet in width, except schoolhouses, public buildings, dormitories of the first and second class, hotels, railroad stations and stables, shall have one or more brick or stone partition walls running from front to rear and carried up to the full height of the building; said walls may be four inches less in thickness than is called for by the provision hereinbefore made relating to the thickness of external walls for a brick building, unless the wall is used for a floor-bearing wall, in which case said walls shall be of the same thickness as is hereinbefore required for external walls of brick buildings. These walls shall be so located that the space between any two of the floor-bearing walls of the building shall be not over fifty feet.

SECT. 139. No alteration or repairs shall be made on any third-class building within the building fire limits without a permit from the superintendent, and no permit to increase the height or area of any such building shall be granted. No permit for the alteration or repair of a third-class building within the fire limits shall be granted if the amount of the outlay proposed exceeds fifty per cent of the cost of renewing the building; providing that within the district the superintendent may issue a license for raising buildings for the purpose of building underpinning and foundation where increased height will not exceed three feet.

Alteration, etc., of third-class buildings within fire limits.

SECT. 140. In this ordinance the following terms shall have the meanings respectively assigned to them :

Definition of terms.

“Alteration” means any change or addition.

“Apartment house” means a house divided up into set or suites of rooms.

“Cellar or basement” means the space or spaces below the level of the bottom of floor timbers of the first story.

“Chimney” shall apply to any permanent or fixed flues or passages built into any building for conveying away the products of combustion from furnaces, stoves, ranges or fireplaces.

“External wall” shall apply to that part of the outer wall of a building other than a party wall, above and other than the foundation wall.

“Foundation wall” means that portion of wall below the level of the street curb, and, where the wall is not on a street, that portion of the wall below the level of the highest ground next to the wall, but, if under party or partition walls, may be construed by the superintendent to mean that portion below the cellar floor.

“Family hotel” means a hotel arranged more especially for the convenience and comfort of families.

“Height of a building” means the vertical distance of the highest point of the roof above the highest grade of the street or ground at the principal point of the building, provided said grade of the ground is not below the grade of the street at said point.

“Lodging house” means a building in which persons are accommodated with sleeping apartments, and includes hotels and apartment houses where cooking is not done in the several apartments.

“Party wall” means every wall used, or built in order to be used, as a separation of two or more buildings.

“Partition wall” means any interior wall of masonry in a building.

“Public building” means any building or premises used as a place of public entertainment, institution, resort or assemblage.

“Repairs” means the reconstruction or renewal of any existing part of a building, or of its fixtures or appurtenances, by which the strength or fire risk is not affected or modified, and not made, in the opinion of the superintendent, for the purpose of converting the building in whole or in part to a new one.

“Schoolhouse” means any building or premises in which public or private instruction is afforded for not less than ten pupils at one time.

“Story of a building” means the space between the level of the bottom of the floor timbers to the level of the bottom of the floor timbers next above or below, and are numbered first, second and so on, starting from the street grade.

“Superintendent” wherever used in this ordinance shall be construed to mean superintendent of public buildings.

“Tenement house” means a building which, or any portion of which, is occupied or intended to be occupied as a dwelling by more than three families living independently of one another and doing their cooking upon the premises.

“Theatre” means a building or portion of a building in which it is designed to make a business of the presentation of dramatic, operatic or other performances or shows for the entertainment of spectators, and having a permanent stage for said performances which can be used for scenery and other stage appliances.

“Thickness of a wall” means minimum thickness of such wall.

Plumbers shall be registered.

SECT. 141. No person shall engage in or work at the business of plumbing in this city either as a master or employing plumber or as a journeyman plumber unless he shall have first personally registered his name and place of business in the office of the superintendent and shall have received a license or certificate in accordance with the provisions of this ordinance.

Notice of change.

Notice of any change in the place of business of a registered plumber shall be immediately given to the superintendent.

Definition of practical plumber.

The words “practical plumber” as used in this ordinance means a person who has learned the business of plumbing by working for at least two years either as an apprentice or under an agreement for instruction, and who has then worked for at least one year as a first-class journeyman plumber.

Journeyman.

The word “journeyman” as used in this ordinance, means one who personally does any work in plumbing which is subject to inspection under this ordinance.

Master, or employing plumber, etc., shall be registered.

SECT. 142. Every master or employing plumber and every journeyman plumber engaged in or working at the business of plumbing in this commonwealth prior to the tenth day of July, 1893, desiring and before proceeding to engage in or work at said business in this city, either as a master or employing plumber or



as a journeyman plumber, shall personally register his name and address at the office of the superintendent and shall state, after being sworn, where and how long he has been engaged in or has worked at said business, and whether as a master or employing plumber or as a journeyman plumber.

The superintendent, if satisfied that the person so registered was actually engaged in or working at said business prior to said date, shall thereupon issue to him a certificate setting forth that he was engaged in or working at the business of plumbing either as a master or employing plumber or as a journeyman plumber as the case may be, prior to the tenth day of July, 1893, and authorizing him to engage in or work at said business either as a master or employing plumber, or as a journeyman plumber.

Superintendent to issue certificate.

SECT. 143. Any person not engaged in or working at the business of plumbing prior to the tenth day of July, 1893, and desiring to engage in or work at the business of plumbing, either as a master or employing plumber or as a journeyman plumber in this city, shall apply to the superintendent, and shall, at such time and place as may be designated by the board of examiners hereinafter provided for, to whom such application shall be referred, be examined as to his qualifications for such business.

Examination of plumbers.

SECT. 144. In the case of a firm or corporation, the examination and licensing of any one member of the firm or the manager of the corporation shall satisfy the requirements of this ordinance.

Examination in case of a firm or corporation.

SECT. 145. There shall be in this city a board of examiners of plumbers, consisting of the chairman of the board of health and the superintendent, who shall be members *ex officio* of said board, and serve without compensation, and a third member, who shall be a practical plumber of at least five years' continued practical experience either as a master or as a journeyman during the years next preceding the date of appointment. Said third member shall be appointed by the board of health for the term of one year from the first day of May in the year of appointment, and thereafter annually before the first day of June, and shall be allowed a sum not exceeding five dollars for each day of actual service, to be paid from the city treasury.

Board of examiners of plumbers.

SECT. 146. Said board of examiners shall as soon as may be after the appointment of said third member, meet and organize by the selection of a chairman, and shall then designate the times and places for the examination of all applicants desiring to engage in or work at the business of plumbing. Said board shall examine said applicants as to their practical knowledge of plumbing, house drainage and plumbing ventilation, and if satisfied of the competency of the applicant, shall so certify to the

Organization of board of examiners.

Examination of applicants.

License for master or employing plumber.

superintendent, who shall thereupon issue a license to such applicant, authorizing him to engage in or work at the business of plumbing, either as master or employing plumber, or as a journeyman plumber. The fee for a license for a master or employing plumber shall be two dollars; for a journeyman plumber it shall be fifty cents. Said licenses shall be renewed annually upon the payment of a fee of fifty cents. A license issued by a board of health or superintendent having competent jurisdiction in some other locality within the commonwealth, may be renewed by the superintendent in case the person, firm or corporation to whom the license was issued removes from such jurisdiction and desires to engage in or work at the business of plumbing in this city.

Inspectors of plumbing.

SECT. 147. The superintendent shall appoint one or more inspectors of plumbing, who shall be practical plumbers of at least five years' continued practical experience either as masters or as journeymen during the years next preceding the date of appointment, and who shall hold office until removed by said superintendent for cause which must be shown. All such inspectors shall before appointment be subjected to an examination before the civil service commission. Said inspectors shall, under the direction of the superintendent, inspect all plumbing work for which permits are hereafter granted, in process of construction, alteration or repair; and shall report to said superintendent all violations of any law, ordinance or by-law relating to plumbing work, and also perform such other appropriate duties as may be required by the superintendent.

Duties.

Permit required before work can be done.

SECT. 148. No plumbing work shall be done except in the case of repair of leaks, without a permit being first issued therefor and approval of the same by the superintendent, and no such permit shall be issued unless and until the person, firm or corporation proposing to do the work shall file in the office of the superintendent upon blanks provided for the purpose, a notice and a particular description of the work to be performed.

Pipes, etc., for waste water.

SECT. 149. No pipes, tanks, faucets, valves or other fixtures by and through which waste water or sewage is used and carried, shall be placed in any building in the city except in accordance with plans which shall be approved by the superintendent.

Sewage to be conducted into common sewer.

SECT. 150. The owner of every building shall have its sewage conducted into and separately and independently connected with a common sewer whenever there is a common sewer near by in the street adjoining the premises upon which such building stands, or with a proper and sufficient drain connected thereto outside of the building, and if there is no such sewer accessible, into a proper cesspool. And whenever in the opinion of the

board of health it may be necessary as a health measure, upon its order, any drain and any connection with a common sewer, and any cesspool shall be reconstructed by such owner at his expense.

SECT. 151. Such portions of house drains as are outside of buildings, and are at a distance more than five feet beyond the foundation walls shall be constructed of iron or vitrified drain pipe.

House drains to be of iron.

SECT. 152. Such portions of house drains and connecting ventilating pipes as are within buildings, and also such portions as pass through the walls and for a distance therefrom of at least five feet shall be constructed of extra heavy cast-iron pipe, of the following weights :

House drains and ventilating pipes to be of cast-iron pipe.

- 2 inches, 5½ pounds.
- 3 inches, 9½ pounds.
- 4 inches, 13 pounds.
- 5 inches, 17 pounds.
- 6 inches, 20 pounds.
- 8 inches, 33½ pounds.
- 10 inches, 45 pounds.
- 12 inches, 54 pounds.

Lead pipes may be used, however, for the connections of wash bowls and bath tub wastes.

Lead pipes.

SECT. 153. Drain and connecting ventilating pipes shall be of sufficient size, and shall be properly secured by irons to walls, or laid in trenches to uniform grade, or suspended to floor timbers by strong iron hangers. Every drain pipe shall be provided with a running trap of a size not less than the internal diameter of the drain with heavy brass clean-outs and a "Y" branch with heavy brass clean-out on the sewer side of the trap, and shall have a proper fall. Drain pipes shall be carried above the roof, open and undiminished in size, and in a sufficient height, not less than two feet above the roof, and not less than five feet above the top of any window within fifteen feet. Changes in direction shall be made with curved pipes, and all connections with horizontal or vertical pipes shall be made with Y branches. All drain pipes and other fixtures shall be exposed to sight where practicable, within the building, and shall not be exposed to pressure where they pass through walls. Such pipes and other fixtures shall not be covered or concealed from view until approved by the superintendent, who shall examine the same within two working days after notice that they are ready for inspection.

Drain and connecting ventilating pipes.

Curved pipes and connections.

SECT. 154. Joints in iron soil pipes, drain and waste pipes shall be oakum packed, thoroughly calked with moulten lead

Joints in pipes.

and made tight. Joints in lead pipes shall be wiped solder joints unless otherwise permitted by the superintendent. Connections of iron and lead pipes shall be by means of brass calking nipples, and the lead shall be jointed to the brass by wiped joints, and the nipple shall be securely calked into the iron pipe or fitting. Wiped "cup" joints shall not be deemed wiped joints within the meaning of this section.

Waste pipes.

SECT. 155. The waste pipe of each and every sink, basin, bath tub, urinal, water-closet, slop-hopper, and of each set of trays or other fixtures, shall be furnished with a separate trap, which shall be placed within one foot of the fixtures served, except as hereinafter provided. One trap shall be permitted to serve for

Traps.

one set of wash trays and a sink, or one bath tub and a wash bowl, provided that the distance between the outlets of said fixtures is not greater than two feet, and the diameter of the trap is not less than four inches. Traps shall be protected from siphonage or air pressure by special cast iron pipes of a size not less than the waste pipes they serve placed outside or below the trap. Lead or galvanized wrought iron air pipes not less than one and one-half inches may be used only when they are exposed to view. Air pipes for water-closet traps shall be of two-inch bore, if thirty feet or less in length, and of three-inch bore, if more than thirty feet in length. Air pipes shall be run as direct as practicable. Two or more air pipes may be connected together with a drain pipe, but in every case of connection with a drain pipe such connection shall be above the upper fixtures of the building.

Air pipes.

Chimney or hot flue not to be used as ventilator.

SECT. 156. No chimney or hot flue or shaft constructed of sheet iron, brick or cement shall be used as a ventilator for a trap or drain pipe. Vent pipes shall be constructed of the same material, and in accordance with the provisions of the ordinance governing the construction of drain pipes, and no vent pipe shall be constructed or placed in such manner that it may become trapped or filled by water from condensation or otherwise.

Vent pipes.

Bow vents.

Bow vents shall be constructed to the satisfaction of the superintendent. The continuation of a soil pipe stack past an upper water-closet or any single isolated fixture shall be deemed to be trap ventilation if said fixture is within two feet of ventilation pipe stack.

Capacity of tank supplying water.

SECT. 157. Each water-closet and every line of water-closets on the same floor shall be supplied with water from a tank or cistern of a capacity not less than four gallons to each closet. This requirement shall not apply to water-closets substituted for privy vaults where they are outside of buildings, but such water-closets may receive their supply directly from the main, with

such fixtures as may be approved by the superintendent and the water board and board of health. No pan-closet shall be permitted, and no sluice vault or water-closet constructed of brick, cement or stone.

SECT. 158. Each water-closet and urinal in a new building other than a stable or building used for storage purposes, shall be locally vented into a hot chimney or flue when deemed practicable by the superintendent.

Water closet to be locally vented into hot chimney.

SECT. 159. Drip or overflow pipes from safes under water-closets and other fixtures or from tanks or cisterns, waste pipes from refrigerators or other receptacles where food is stored, shall not be connected with a drain, sewer pipe, soil pipe or other waste pipe, and shall be run to some place in open sight.

Overflow pipes, etc., not to connect with drain.

SECT. 160. No steam exhaust pipe shall be connected with a drain or sewer pipe, soil pipe or other waste pipe unless the exhaust pipe shall be provided with a sufficient condenser, and unless the exhaust pipe connects with such drain or sewer pipe, soil pipe or other waste pipe at a point between the running trap, required by section one hundred and fifty-two, and the sewer or cesspool.

Steam exhaust pipe.

SECT. 161. Water pipes in exposed places shall be properly protected from frost.

Protection from frost.

SECT. 162. Each drain water leader connected with soil or drain pipes, or a sewer shall be separately trapped, and every portion thereof within a building and every portion which passes through the wall and for a distance therefrom of at least one foot, shall be constructed of the same material and in the same manner as other drain pipes. They shall in no event be used to drain other than rain water. Leader traps shall be provided with heavy brass clean-outs. The main soil pipe stack may be used as a rain-water leader, provided it has a copper collar with a brass nipple soldered on and caulked to the iron pipe or fittings with oakum and molten lead, provided the ventilation pipes are carried independently through the roof and increased to three inches at this point.

Drain water leader.

Leader traps.

SECT. 163. No cellar bottom or area shall be connected with a public sewer only under such conditions as the superintendent shall in each particular case provide.

Cellar bottom not to connect with sewer.

SECT. 164. All drainage and ventilation pipes together with waste and ventilation lead branches, shall be given the water test, by the plumber in the presence of and approval in writing by an inspector of plumbing, and all leaking or otherwise defective work removed or repaired. Twenty-four hours' notice that the work is ready for test shall be sent to the office of the superintendent.

Water test.

Repairs to be submitted to water test.]

SECT. 165. Repairs upon soil or vent pipes consequent upon damage from fire, removal or other cause, shall, in the discretion of the superintendent, be submitted to the water test.

Pipes, etc., to be inspected.

SECT. 166. When the pipes, traps, local vents, etc., are in position and the work sufficiently advanced for inspection the plumber will so notify the superintendent, giving twenty-four hours' written notice, and no work shall be covered until the same is approved by an inspector of plumbing. All defective or work otherwise not in accordance with the city ordinances shall be removed.

Grease pipe.

SECT. 167. A grease trap shall be constructed under the sink of every hotel, eating house, restaurant or other public cooking establishment, so as to be easily accessible for inspection and cleaning.

Penalty.

SECT. 168. Any person violating any provision in the next twenty-seven preceding sections of this ordinance relative to plumbing shall be punished by a fine not exceeding fifty dollars for each and every violation thereof.

Revocation of license.

SECT. 169. The superintendent may also revoke the license of any person issued under this ordinance for any such violation, and may also forbid any person violating any provision of this ordinance and holding a license under the same, or from any other city or town, to engage in or work at the business of plumbing in this city for a period not exceeding one year. Any person engaging in or working at the business of plumbing after and while he has been forbidden so to do under this section shall be subject to a fine not exceeding one hundred dollars for every such offence.

Journeyman plumber.

SECT. 170. The next twenty-nine preceding sections of this ordinance relative to plumbing shall apply to all persons who are now or may be hereafter learning the business of plumbing when they are sent out to do the work of a journeyman plumber.

Inspector of plumbing.

SECT. 171. Any person now holding an appointment as inspector of plumbing may retain his position, and without further examination be deemed to have been appointed under this ordinance.

Penalty.

SECT. 172. Except in cases in which other provisions are made herein or by statutes, any person violating any provision of this ordinance shall be punished by a fine not exceeding one hundred dollars for each and every such offence.

Continuation previously existing ordinances.

SECT. 173. This ordinance, in so far as its provisions are the same in effect as those of previously existing ordinances, shall be construed as a continuation of those ordinances; it shall not affect any act done, any right accruing, any penalty incurred, any suit, prosecution or proceeding pending, or the tenure of

office of any person holding office at the time when it takes effect; but, subject to the aforesaid limitations, chapter thirteen of the revised ordinances of 1892, all ordinances amendatory thereof and supplementary thereto; the ordinances relating to fire limits and to the construction of buildings therein, approved respectively Dec. 5, 1894, June 21, 1895, and Sept. 25, 1895, all ordinances amendatory thereof and supplementary thereto; an ordinance relating to plumbing approved Nov. 23, 1893, all ordinances amendatory thereof and supplementary thereto; are all hereby repealed.

## CHAPTER 14.

## CITY ELECTRICAL DEPARTMENT.

City  
Electrician.

SECTION 1. The city electrical department shall be under the charge of the city electrician.

Duties.  
1890, c. 404, § 3.  
1889, c. 398.

SECT. 2. The city electrician shall have supervision of every wire over, upon, through or under all streets and over buildings throughout the city; every wire within a building when such wire is designed to carry an electric light or power current; also of wires for the transmission of electricity for the purpose of heating or power; of all poles, conduits and other structures holding, supporting or containing such wires in streets and public places, except parks, commons, bridges or other public reservations. He shall inspect the condition of all poles, wires, conduits and cables, their attachments, insulations, supports and appliances.

Inspection of  
wires, attach-  
ments, etc.

SECT. 3. He shall require every person or corporation using, operating, or maintaining such fixtures to affix at the points of support, or to a suitable cross-arm at or to which any such wires or cables containing wires are attached, a tag or mark distinctly designating the owner or user of such poles, wires or cables except that any such tag or mark shall not be required for the poles, wires or cables of a street railway company used for the transmission of its motive power, nor used for the protection or support of such wires. Whenever any such poles, structures, attachments, insulations, supports or appliances are unsuitable or unsafe, or the tags or marks thereof are insufficient or illegible, he shall order any such person or corporation owning or operating the same to replace them with suitable and safe poles, structures, attachments, insulations, supports or appliances; to repair or remove any wire abandoned for use; every wire which shall be unprovided with a tag or mark, and every post, structure or other appliance not so provided; and if not replaced, repaired or removed forthwith, he shall thereupon proceed to replace, remove or repair the same at the expense of the owner thereof.

1889, c. 398.  
1890, c. 404, § 3.

Wires to be  
suitable and  
strong.  
1890, c. 404, § 1, 3.  
1895, c. 228, § 1, 2.

SECT. 4. He shall require every person or corporation owning or operating a line of wires over, upon, through or under any streets or over any buildings throughout the city, to use only such wires as are suitable and strong; shall require such wires to be suitably and safely attached to strong and sufficient poles properly painted and insulated at all points of attachment; and



when a wire enters a building, and if such wire is other than a wire designed to carry an electric light or power current, shall cause to be attached to it at suitable and convenient points in the circuit calculating to prevent danger from fire, and near the place of entering a building, an appliance calculated to prevent at all times a current of electricity of such intensity or volume as to be capable of injuring electrical instruments or causing fire to enter the building by means of such wire, beyond the point at which such appliance is attached, and shall cause to be suitably insulated every wire within a building when such wire is designed to carry an electric light or power current.

1890, c. 404, § 1.

SECT. 5. In case of fire, or whenever the maintenance of any wire or wires may be a menace to life or property, he shall have authority to direct any corporation or person owning, leasing, operating or maintaining any wire or wires, to shut off the electric current therefrom for such a period of time as he may deem to be necessary, or to cause said wire or wires to be cut or removed without notice, and such wire or wires shall not be connected again or replaced without his approval.

Electric current to be shut off.

Wires to be cut in case of fire, etc.

SECT. 6. He shall inspect the construction, location and insulation of wires designed to carry electric light, heat or power current in buildings in process of construction or repair within the limits of the city and the connection of said wires with any electrical circuit. He shall see that all laws, orders, ordinances and regulations relative to wires and conduits, and pole or conduit locations, are strictly enforced.

Wires in buildings in process of construction.

Enforcement of laws, etc.

SECT. 7. He shall have supervision of the fire alarm telegraph, the police signal system, and all other electrical wires and wire systems now or hereafter owned by the city, except in public parks, bridges or other public reservations. He shall purchase wires, apparatus and machinery and all property and appliances connected with the fire alarm, police signal and lamp systems, which may be under his care and control, shall keep the same at all times in good working order, and shall erect, or cause to be erected, all electrical wires and appliances used in connection with said several systems and all electrical wires or lines owned by the city, except such wires or lines as may be under the care of the bridge, park or water works departments.

Supervision of municipal systems, purchase and erection of appliances.

SECT. 8. He shall have the care and oversight of all street lamps and the fixtures thereof throughout the city, and the erection of posts, lamps and fixtures connected and used with the same, except such lamps as may be located on bridges or in parks or other public reservations; shall contract for all materials, superintend the putting up of all posts, lamps and fixtures located by the city council; shall contract for all lights under

Street lamps.

Contract for lighting, etc.

his control; shall keep an accurate account of the number of lamps which burn gas, or other material, the cost of same, the number of men employed, the wages given, the kind, quality and cost of fixtures, the number of electric lights and the cost and the outages of the same, and all other expenses incurred in his department. He shall annually, in the month of December, present to the city council a report showing the detailed expenses, the value of the property on hand, the number, kind, quality and cost of lights used by the city, the outages of the same, and such other material facts as relate to the operation of his department.

Annual report.

SECT. 9. He shall see that all meters for gas or electricity furnished to the city, other than to the bridge, park and water works departments, are in proper condition, and as often as may be necessary shall test the power of all lights furnished to the city, except to said bridge, park or water works departments; and shall see to it that in all particulars, the provisions of any contracts made are strictly performed.

Electric meters.

He shall make such examinations and tests, impart such information, and render such assistance as may be in his power to the bridge, park and water works departments whenever requested by said departments.

Examinations and tests.

SECT. 10. All wires, appliances and apparatus in the interior of buildings or on private premises which are intended for the transmission of electricity and whether or not connected with an outside circuit shall be properly and safely constructed, placed, arranged, attached, insulated, covered, changed and maintained by the person or corporation using the same. Such person or corporation shall allow the city electrician at all reasonable times free access to such wires, appliances and apparatus, and shall notify said city electrician of any intention to construct, place, arrange, attach, insulate, change or maintain any such wires, appliances, and apparatus before they are covered or enclosed, or connected with any outside circuit.

Placing, insulation, etc., of wires.

SECT. 11. Every person or corporation owning, operating or leasing any poles, wires, ducts, conduits, manholes, electrical structures or appliances within the public ways of the city of Cambridge shall comply with all rules and requirements of the board of aldermen with respect to the quality of poles, wires, ducts, conduits, manholes, structures and other appliances and with all rules and requirements of said board with respect to their installation, removal and repair, and shall, at all reasonable times, give to the city electrician access to such poles, wires, ducts, conduits, manholes, structures, appliances and apparatus.

Quality of appliances, etc.

No line or wire shall be attached to any pole by means of

Attachment of wires to poles.

brackets or other side fixtures, nor shall the wires or lines of more than one party be placed on the same cross-arm.

No corporation or persons maintaining or operating a wire or line of wires for the transmission of electricity shall affix to or place upon any pole, structure, or fixture owned by it or them and now erected or that may be erected hereafter, any additional wire or wires, except upon a written permission of the city electrician.

Additional wires.

SECT. 12. No person or corporation shall permit any unused piece of coil or loose end of wire to be left on the surface of any public way or sidewalk, or attached to any cross-arm, pole or other structure.

Unused wire.

SECT. 13. Whenever the city electrician shall request, any person or corporation operating electric or other wires, poles, ducts, conduits or manholes upon, over, through or under any public way or over any building, shall, within fifteen days, furnish a plan, showing the number and location of its poles, the cross-arms on each, the number of wires or cables thereto attached, or contained therein, the particular locations of all its ducts, conduits and manholes, and the usage to which the respective ducts in said conduits are, and hereafter may be put, with specifications of the average volts charged and current used, the tested strength, the kind and number of lamps or motors connected with any electrical circuit, and other electrical appliances, and, in general, the method of installation, operation, maintenance and repair. Said plan shall be in form and size agreeable to the city electrician.

Detail plan to be furnished.

SECT. 14. No person except a police officer, fireman, or employee in the city electrical department in the discharge of his duties, shall open, attempt to open, or cause to be opened any of the police or fire alarm signal boxes, except in case of fire; no person shall interfere, tamper, or meddle with, break, cut, injure or deface any such boxes, any part or parts thereof, or anything connected therewith; and no person shall put any bill or placard upon such signal box, pole or structure.

Signal boxes 1888, c. 291, § 1.

SECT. 15. No person or corporation shall construct, erect, lay or maintain in any public way, any pole, duct, conduit, manhole or other structure to support or contain wires or lines for the transmission of intelligence by electricity or otherwise or for the purposes of light, heat and power, except by order of the board of aldermen previously obtained, in which the exact location of each shall be duly set forth.

No poles, conduits, etc., without order of board of aldermen. P. S. c. 139.

Placards and bills.

SECT. 16. No wire, line or apparatus used for the transmission of electricity for any purpose shall be attached by cross-arms or otherwise to any tree in any public way, except by consent in writing of the board of park commissioners previously obtained,

No wires to be attached without order.

nor shall any such wire, line or apparatus be attached as aforesaid to any public building, structure, or fixture of any kind, in any public way or grounds, except in public parks, bridges and other public reservations except by order of the board of aldermen previously obtained, in which order such building, structure or fixture shall be duly described; provided, however, that the aforesaid regulation shall not apply to wires, lines or apparatus owned or used by the city.

Acceptance of locations to be filed.

SECT. 17. Whenever permission shall be granted by the board of aldermen to erect and maintain poles, or to construct and maintain ducts, conduits, manholes or other fixtures in the public ways to support, hold or contain lines or wires for the transmission of electricity, the party to whom such permission is granted shall, within thirty days from the date of the order granting such permission, file in the office of the city clerk a written acceptance without reservation of the location of such poles, ducts, conduits, manholes or other fixtures and of all the conditions, terms and provisions contained in the order and the ordinances of the city and future amendments thereof, and agreeing to carry out, observe, perform and be subject to the same; and in default of such written acceptance and agreement, the permission and grant of location shall be void. Such grant and permission shall likewise be void and deemed revoked unless within six months after the date of the order the poles, ducts, conduits, manholes and other fixtures shall have been erected or constructed and completed; and, unless within six months after such completion, the electric lines shall be constructed and put in operation. Whenever the operation of the electric lines upon or in any location granted shall be discontinued for six months, the grant shall cease and be of no further effect.

Completion of work.  
P. S., 109, § 3.

Location of poles in sidewalks.

SECT. 18. All poles in sidewalks shall be set upon the outer edge thereof, and, wherever there are curbstones, placed within four inches of the inner edge of the curbstones. Poles for telegraph, telephone, and electric light lines shall be of hard pine, square at the surface of the ground, and planed and chamfered. Poles for support of trolley, guard, span or feed wires of the street railway system shall be cylindrical iron poles, unless otherwise ordered by the board of aldermen.

Revocation of grants.

SECT. 19. All permissions granted by the board of aldermen to erect and maintain poles, or to construct ducts, conduits, manholes or other fixtures for electrical lines, in the public ways, may at any time be revoked by the board of aldermen, either in whole or in part, and the said board may order the removal of such poles, ducts, conduits, manholes, fixtures, wires and lines as it may deem necessary; and whenever any poles, ducts, con-

duits, manholes, fixtures, lines and wires are so ordered to be removed, such removal shall be done by and at the expense of the owner, in conformity with the order, within thirty days after notice, and, if not so removed, the board of aldermen may cause the removal to be done and the expense thereof to be repaid to the city by the owner.

SECT. 20. No person or corporation shall attach any wire or line for the transmission of electricity for any purpose, except the lines and wires owned or used by the city, to any pole already erected for the use of another corporation or person, except by consent of the owner and the order of the board of aldermen previously obtained, in which order such pole shall be duly described.

No wires to be attached without order of board of aldermen.  
1884, c. 302, § 1.

SECT. 21. To all poles erected and maintained by any person or corporation under the provisions of this ordinance, the city may at any time attach wires for its own use.

SECT. 22. All petitions presented to the board of aldermen for permission to erect poles to support wires or lines or to construct conduits for the transmission of electricity for any purpose, shall be accompanied with, or contain a statement of, the exact location of each pole proposed to be erected, or conduit to be constructed, and shall be accompanied with duplicate plans showing said locations, said plans to be in form and size agreeable to the city clerk. A hearing upon every such petition shall be given to all parties interested. Notice of the filing of every such petition, and of the hearing thereon, shall be given by the petitioner or petitioners, to owners or occupants of the land along the public ways upon which locations are prayed for, which notice shall state briefly the public ways or the parts thereof to which such petition relates.

Petition for location of poles, etc.

Hearings to be given.

Notice to be served.

SECT. 23. The location of all poles, ducts, conduits or manholes erected or used by permission of the board of aldermen, to support or contain wires and lines for the transmission of electricity, shall be changed and altered whenever deemed necessary by said board by the owner or person using the same at his expense without any unnecessary delay, and if not so changed or altered, it shall be done by the city electrician at the expense of said owner or person.

Locations to be changed, when.

Expense of such change.

SECT. 24. Whenever the board of aldermen shall deem it proper, all persons or corporations, mentioned in section 11 of this ordinance, shall gather and place in aerial cable, lines and wires to the number of fifty or more in any public way, within such time, at such height and in such manner as said board may designate.

Wires to be put in aerial cable, when.

SECT. 25. No public way or bridge shall be torn up or disturbed for the purpose of laying, repairing, changing or removing

Streets, etc., not to be torn up without a license.

lines, wires, ducts, conduits or manholes, or erecting, altering or removing poles or other fixtures used for carrying electric lines or wires, without a license first obtained therefor. No formal license shall be necessary to sanction the temporary removal of covers to manholes for the purpose of removing or repairing lines, wires and cables. Whenever a manhole is opened, the person or corporation by whose authority the same is done shall place a suitable metallic guard rail around the opening, with a signal flag, at least one foot square, displayed therefrom.

Streets, etc., to be restored after opening, etc.

Whenever any opening or disturbance is made in any public way or bridge for any purpose, such public way or bridge shall be promptly restored by the person or corporation owning or operating the lines, wires, ducts, conduits, or manholes, or making such repairs, to a condition satisfactory to the superintendent of streets, and shall be kept and maintained in such condition by such person or corporation for two years thereafter; and, if not immediately so restored, kept and maintained, the same may be done by the city at the expense of such person or corporation.

Wires and conduits to be removed, when.

SECT. 26. Whenever the city shall construct, enlarge, relocate, repair, or alter the streets, sewers, water pipes or other public works, in streets, ways and bridges where conduits and wires are laid, which in the opinion of the board of aldermen may require the removing or changing the location of said conduits and the fixtures appertaining thereto, or the repairing thereof, said removing, changing and repair shall be done without delay at the expense of the person or corporation owning or operating the same.

Not to be removed, etc., without permission.

SECT. 27. Whenever underground conduits have once been laid in the streets and ways of the city, they shall not be removed, relocated or changed, without permission from the board of aldermen.

City to have space in underground conduits.

SECT. 28. In all underground conduits and manholes sufficient and necessary space shall be reserved, free of expense, for wires belonging to or to be used by the city, and said conduits shall at all times be accessible to the city for the purpose of putting in, taking out and repairing its wires.

Bond to be given.

SECT. 29. Every person or corporation constructing, maintaining or operating a telegraphic, telephonic, or other electrical line in the city, shall execute a bond, with satisfactory surety, in a penal sum of not less than ten thousand dollars, and of form satisfactory to the city solicitor, conditioned to indemnify and save harmless the city against all damages, costs, expenses and losses whatsoever, to which it may be subjected in consequence of the acts and neglects of such person and corporation, their agents, officers and servants, and any and all persons acting by,

Condition of bond.

through, or under such person or corporation, and in any manner arising from, or growing out of the use and transmission of electricity, the privileges permitted by the city, and the construction, maintenance, operation, and use of lines, wires, cables, conduits, poles, structures, constructions, fixtures and apparatus; and also, to fulfil all their agreements with the city, all the orders, conditions and obligations imposed by the board of aldermen, and all obligations and duties required by law, and by this chapter and every other ordinance, and all additions and amendments relating thereto.

A new bond of like import, and with new surety, may at any time be required by the city, which new bond shall be a strengthening bond, unless the surety on former bonds is expressly released from further liability by vote of the board of aldermen.

New bond may be required.

SECT. 30. All locations hereafter granted shall be subject to the condition that any person or corporation to whom locations shall be granted, shall give any other person or corporation permission to use its poles, ducts, conduits, manholes or other electrical appliances or apparatus whenever ordered so to do by the board of aldermen on payment of a reasonable rental.

Use of poles, etc., by other corporations.

SECT. 31. Except as otherwise provided by law, any person violating any provision of this chapter shall be subject to a penalty of not exceeding twenty dollars for each and every offence.

Penalty.

SECT. 32. This ordinance, so far as its provisions are the same in effect as those of previously existing ordinances, shall be construed as a continuation of those ordinances; it shall not affect any act done, any right accruing, any penalty incurred or any suit, prosecution, or proceeding pending. Subject to the aforesaid limitations, chapters 14 and 16 of the revised ordinances of 1892, all ordinances amendatory thereof, and supplementary thereto, are hereby repealed.

Continuation of previously existing ordinances.

*Provided, however,* that the tenure of office of the inspector of wires and of the superintendent of lamps shall continue until the appointment and confirmation of the city electrician, (and that until such appointment and confirmation said inspector of wires and superintendent of lamps shall have all the powers, perform all the duties and be subject to all the responsibilities of said city electrician, as defined in this ordinance).

Tenure of office of inspector of wires.

## CHAPTER 15.

## INSPECTION OF MILK AND VINEGAR.

**Inspection of milk and vinegar department to be in charge of the inspector of milk and vinegar.** P. S. c. 47.  
 P. S. c. 60, § 71.

**His term of office.**

**Duties.**

**Annual report.**

**SECTION 1.** The inspection of milk and vinegar department shall be in charge of the inspector of milk and vinegar, who shall hold his office for the term of one year from the first Monday of January in the year of his appointment. He shall be sworn to the faithful performance of the duties of the office of inspector of milk, and of inspector of vinegar; and shall have and exercise all the power and authority, and be subject to all the duties and limitations, which the statute imposes upon and requires of inspectors of milk, and inspectors of vinegar.

**SECT. 2.** He shall annually, in the month of December, make a full report of all matters pertaining to his department, with an inventory of all the apparatus and property of the city belonging thereto, which shall be in his charge.





<sup>1</sup>CHAPTER 16.

INSPECTION OF PROVISIONS AND OF ANIMALS INTENDED FOR  
SLAUGHTER OR KEPT FOR THE PRODUCTION OF MILK.

SECTION 1. The department of the inspection of provisions and of animals intended for slaughter or kept for the production of milk shall be under the charge of the inspector of provisions and animals intended for slaughter or kept for the production of milk. He shall be a skilled veterinary physician, shall be sworn to discharge faithfully the duties of his office, and shall hold his office for the term of one year from the first day of May in the year of his appointment, subject to removal at any time by the mayor and aldermen.

Inspection of provisions, and of animals department to be in charge of.

Term of office.

SECT. 2. In addition to the duties required of him by the public statutes, and acts in amendment thereof, he shall professionally visit, attend and treat, whenever necessary or whenever requested by the mayor, any and all of the horses owned by the city in the several departments thereof, and shall physically examine and report upon all horses offered for sale to said city.

Duties.

SECT. 3. He shall annually, in the month of December, and whenever requested by the mayor and city council, make a full and detailed report of all matters pertaining to his department, with such suggestions as he may deem proper.

Annual report.

<sup>1</sup> Chapter 16 of the revised ordinances of 1892, being the ordinance in relation to lamps, was repealed Oct. 24, 1899; said ordinance being included in ordinance in relation to City Electrical Department approved Oct. 24, 1899.

## CHAPTER 17.

## LAW.

Law department to be in charge of the city solicitor. Stat. 1891, c. 364, § 20.

Term of office.

Vacancy.

He shall draft all legal instruments.

Shall prosecute all actions for the city.

Shall defend the city in all actions.

Shall represent the city before legislative committees.

Shall furnish legal opinions, etc.

SECTION 1. The law department shall be in charge of the city solicitor, who shall be a citizen of Cambridge and an attorney and counsellor of the courts of the commonwealth, and who shall hold no other office under the city government during the period for which he is elected. He shall hold his office for one year from the first Monday of May in the year in which he is elected, and until his successor is elected and qualified, unless sooner removed; and he shall be removable at the pleasure of the city council. A vacancy may be filled at any time for the unexpired term.

SECT. 2. He shall by himself, or by some person by him duly authorized, for whose conduct, skill and faithfulness he shall be accountable, draft all legal instruments, of whatever nature, which may be required of him by any ordinance, or order of the board of aldermen or of the city council, or which may be requisite to be done and made by the city and any person contracting with the city, and which, by law, usage or agreement, the city is to be at the expense of drawing.

SECT. 3. He shall commence and prosecute all actions and suits to be commenced by the city, before any tribunal in this commonwealth, whether in law or equity, and also appear in, defend and advocate the rights and interests of the city, or any of the officers of the city, in any suit or prosecution, for any act or omission in the discharge of their official duties, wherein any estate, right, privilege, ordinance or act of the city government, or any breach of any ordinance, may be brought in question. He shall also appear before the legislature of the commonwealth, or any committee thereof, and there, in behalf of the city, represent, answer for, defend and advocate the interests and welfare of the city, whenever the same may be directly or incidentally affected. He shall, in all matters, do every professional act incident to the office, which may be required of him by the city government, or by any committee thereof, or by any ordinance or order. He shall furnish legal opinions on such subjects or questions as may be submitted to him by the mayor, the board of aldermen, the common council or the school committee; by any committee of the city council, or either branch thereof, or any sub-committee

of the school committee or by any board or department of the city government who may require advice in regard to the discharge of their duties.

SECT. 4. He shall receive such salary as the city council may determine. In all cases when his attendance is required out of the city, his reasonable travelling expenses shall be allowed him.

Salary.  
Travelling  
expenses, etc.

## CHAPTER 18.

## OVERSEERS OF THE POOR.

Overseers of the poor department to be in charge of the overseers of the poor. 1891, c. 364, § 21.

Election of vacancies.

To have charge of almshouse and other property. P. S. c. 84.

SECTION 1. The overseers of the poor department shall be under the charge of the board of overseers of the poor consisting of five persons, one of whom shall be elected annually by the city council in joint convention in the month of March, for the term of five years beginning the first Monday in May of that year. Vacancies may be filled for the unexpired term in the same manner.

SECT. 2. The board shall have charge of the almshouse and may make and enforce all such rules and regulations as they deem expedient in relation thereto. They shall preserve all books, papers, property, evidences of property, vouchers and other things intrusted to, kept by or deposited with them.

1

1 Sections 3 to 8 inclusive repealed Oct. 22, 1896.

CHAPTER 19.

PARK.

SECTION 1. The park department shall be under the charge of a board of three persons, to be styled park commissioners, who shall be appointed by the mayor, subject to the confirmation of the board of aldermen, and they shall hold their offices until the expiration of terms of one, two and three years respectively, from the first day of May, 1893. The mayor shall, subject to like confirmation, before the first day of May in each year after the year 1893, appoint a commissioner to continue in office for the term of three years from said day. No person shall be a commissioner who is at the same time a member of the city council. Any vacancy occurring in the said board shall be filled for the residue of the term of the commissioner whose place is to be filled, in the same manner in which such commissioner was originally appointed. Said commissioners shall, in addition to the above term, hold office until others are appointed in their respective places.

Park department to be under charge of park commissioners.

Term of office.

Vacancy.

SECT. 2. The president of the park commissioners shall be elected by the board, and shall be one of the persons appointed as provided in the first section of this chapter. The board may make such rules and regulations for its own government, and in relation to its officers, as may be deemed expedient.

President elected by the commissioners.

Rules and regulations.

SECT. 3. The board so constituted shall have and exercise all the rights, powers, and authority given to it and to the city council by the legislature, by the three hundred and forty-first chapter of the acts of the year eighteen hundred and ninety-two, and by the three hundred and thirty-seventh chapter of the acts of the year eighteen hundred and ninety-three, and by any acts in addition to either of said acts which may hereafter be enacted, so far as the same can be legally delegated by the city, subject to all the duties, liabilities, and restrictions in said last named chapter contained. Said commissioners may in their discretion annually appoint a superintendent, a clerk, and all other subordinate agents and assistants, who shall be removable at their pleasure, and shall fix their compensation subject to the approval of the committee on finance.

Shall exercise all rights, etc., given by legislature.

Commissioners to appoint superintendent, etc.

SECT. 4. The board, on or before the fifteenth day of December in each year, shall present to the city council a report containing a statement of the condition of all the parks and lands under its control or supervision, and of other property connected

Annual report.

therewith, with an account of all receipts and expenditures, together with any information or suggestions which it may deem important; and if a superintendent has been appointed, it shall at the same time transmit to the city council his report.

Sale of personal property.

SECT. 5. The board may sell such of the personal property connected with said parks or lands as it may deem expedient, subject to the approval of the mayor.

Duties of president.

SECT. 6. The president of the board shall exercise a general supervision over all said parks and lands, and the materials and property connected therewith, and over all subordinate officers and agents. In case of his absence or disability, his duties may be performed by a president pro tempore, to be chosen by the board.

No member of the board to be interested in any contract, etc.

SECT. 7. No member of the board, and no person appointed to any office or employed by virtue of this chapter or of the acts of the legislature mentioned in the third section of this chapter, shall be interested, directly or indirectly, in any contract, bargain, sale, or agreement, in relation to said parks or lands, or any matter or thing connected therewith, wherein the city is interested; and any and all contracts, bargains, sales or agreements, made in violation of this section, shall be void as to the city.

Duties of superintendent.

SECT. 8. The superintendent shall perform all such services in relation to the trees in the public streets and <sup>1</sup>said parks and lands as may be required of him by the board, and he shall annually, during the first week of December, present to the board a report of the general condition of said parks and lands.

City engineer to perform all work within province of civil engineer.

SECT. 9. The board may require the city engineer, either by himself or by his assistants, to perform all work which properly comes within the province and under the direction of a civil engineer, including the making of examinations and surveys, the preparation of statements, plans, profiles, estimates, descriptions, specifications and contracts, and the measuring of the work done by contract and certifying to the results of such measurement.

To have the care of commons, etc., not under general care of water board.

SECT. 10. The park commissioners, in addition to the general care and charge of parks and public grounds imposed upon them by the foregoing provisions, shall have the general care and charge of all the other commons, public grounds, and enclosures now belonging, and as the same may hereafter belong to the city, and not under the general care of the water board.

To have the care of all trees.

SECT. 11. The park commissioners shall have the care of the trees in the public streets. They shall cause all statutes and ordinances made for the protection of said trees, the commons, and other public grounds and enclosures not under the general care and charge of the water board, to be strictly enforced, and shall institute legal proceedings against all persons violating such statutes and ordinances.

CHAPTER 20.

POLICE.

SECTION 1. The police department shall be under the charge of the chief of police, who shall hold his office during the pleasure of the mayor and aldermen. He shall have, under the direction of the mayor, the care and custody of the patrol wagons,<sup>1</sup> emergency ambulances, police vans and other vehicles, harnesses and horses used by the police force, and all the furniture and other property of the city at the several police stations, except that the apparatus of the police signal system shall be under the supervision of the inspector of wires. The chief of police shall also have the charge of all the police stations.

Police department to be in charge of the chief of police.

His term of office.  
P. S. c. 27, § 85.  
1891, c. 364,  
§§ 9, 10.

Duties.

SECT. 2. The chief of police shall keep a correct and complete record of the business of the department, and shall make such reports to the mayor from time to time, as he shall require, concerning all matters relating to the police department, and to the property of the city used by the police force.

Shall keep a record and report to the mayor.

<sup>1</sup> SECT. 3. The chief of police shall within the city limits direct and control the transportation of all injured persons who require immediate care, relief and assistance,<sup>2</sup> and shall respond to all calls made upon him, for the use of the emergency ambulance, by the overseers of the poor for all cases except cases of contagious disease.

Shall direct and control the transportation of all injured persons.

Emergency ambulance.

SECT. 4. The chief of police shall employ suitable persons to assist, and shall provide and contract, under the ordinances, for suitable materials, appliances, and means to carry out and accomplish the provisions of this ordinance, and shall be responsible for the faithful and complete execution of the same.

Employment of assistance.

<sup>1</sup> SECT. 5. The chief of police shall make a report to the city council annually, in the month of December, of all the receipts and expenditures of his department, the organization and efficiency of the force, and an itemized statement of all the materials, tools and property of every kind belonging to the city, on hand December first, with their estimated value. He shall also at the same time make a return of the fees and perquisites received by him and other members of the police force.

Annual report.

Shall report fees.

<sup>1</sup> Amended July 15, 1896.

<sup>2</sup> Amended Dec. 30, 1896.

## CHAPTER 21.

## PUBLIC LIBRARY.

Public library department to be in charge of trustees.  
P. S. c. 40,  
§§ 9, 10, 11.

SECTION 1. The public library department shall be under the charge of a board of seven trustees, to consist of one member of the school committee and six citizens at large to be chosen as hereinafter provided.

Trustees.  
Appointment of.

SECT. 2. There shall be appointed by the mayor subject to confirmation by the board of aldermen, annually, in the month of January, or whenever a vacancy may occur, one member of the school committee, to serve as trustee for the municipal year.

Vacancy.

Also in January, of each year, two citizens at large shall be appointed by the mayor, subject to confirmation by the board of aldermen, as trustees as aforesaid, to hold office for the term of three years from the third Monday of January of the year in which they are appointed, and in case of a vacancy, for the unexpired portion of the term.

Trustees may elect a chairman and secretary.

SECT. 3. Said trustees may elect from their number a chairman and secretary, and four members of the board shall constitute a quorum for the transaction of business: they shall choose annually, in the month of January, a suitable person to be librarian, who shall be removable at the pleasure of the board, and shall receive such compensation as the trustees may determine.

Quorum.

Shall choose a librarian.

Trustees may expend moneys, establish fees and make by-laws.

SECT. 4. The trustees shall expend all moneys presented to the library, or appropriated by the city council, for the purchase of books, the improvement of the library, its care, custody, maintenance for usefulness, and its preservation, and the care and repairs of the building. They may establish such fees for the use of the library, and shall make and publish needful by-laws and regulations, to extend the benefits of the institution as widely as practicable throughout the community. All moneys received for the use of the library shall be paid quarterly into the city treasury.

All fees to be paid into the treasury.

Annual report of trustees.

SECT. 5. The trustees shall present to the city council annually, in the month of December, a report of their proceedings, and a statement of the condition of the library, the number of books added during the year, with an accurate account of all receipts and expenditures, together with any other information or suggestions which they may deem desirable.

Money, how paid on account of library.

SECT. 6. No money shall be paid from the city treasury on account of the library, except by order of the trustees, and in pursuance of an order signed by the mayor; and in no case shall the amount drawn exceed the amount appropriated for the library.



CHAPTER 22.

SEALER OF WEIGHTS AND MEASURES.

SECTION 1. The sealer of weights and measures department shall be under the charge of the sealer of weights and measures, who shall hold his office for the term of one year from the first day of April in the year of his appointment, subject to removal at any time by the mayor and aldermen.

Sealer of weights and measures department to be in charge of the sealer of weights and measures. P. S. c. 65, §§ 8 to 25.

SECT. 2. He shall have general control and supervision of all the public scales of the city, and annually, in the month of December, he shall make a full report of all matters pertaining to his department, with an inventory of all the property of the city in his charge.

His duties.

Annual report.

CHAPTER 23.

SEWER.

Sewer department to be in charge of the city engineer.

Common sewer defined. P. S. c. 50, § 1. S. 1890, c. 124.

Laying of pipes, etc., not to interfere with sewer.

Pipes, etc., interfering with sewer, to be removed by owner.

City engineer and superintendent of water-works to consult.

Superintendent of sewers to be appointed.

His term of office.

SECTION. 1. The sewer department shall be under the charge of the city engineer. In any street opened, or proposed to be opened, for public travel and accommodation, every sewer or drain laid for the purpose of draining more than one estate, shall be deemed to be a common sewer, and no such common sewer shall be laid or connected with any existing common sewer except by the city, as provided in section three of this chapter.

SECT. 2. Whenever any street is opened for the laying of pipes for water, gas or other purposes, or for the prosecution of any work of construction, such laying of pipes and the work connected therewith, or such work of construction, shall be so executed as not to obstruct, in any way, the course, capacity or construction of a common sewer, and whenever pipes for any purpose, or any work of construction, are found to exist at such a depth or in such location as to interfere with any existing sewer, or with the building of any common sewer of the required size, and at the proper depth and grades, the department, corporation or person maintaining the same, shall, upon notice thereof, at once remove, change or alter said pipe or pipes or other works, in such a manner as the city engineer may direct. If such department, corporation or person neglects to comply immediately with the terms of such notification, the city engineer may make such removal, change or alteration, and the cost thereof shall be paid by such department, corporation or person.

*Provided*, that whenever any sewer is to be constructed, or any water pipe to be laid, in any street or way, the city engineer and superintendent of water works shall consult with each other in regard to the location of any existing pipes.

SECT. 3. The city engineer shall have the general superintendence of all common sewers built or owned by the city, and of all connections built under the provisions of this chapter; and he shall annually, in the month of June, appoint some competent person to take charge of such work of building, repairing and keeping the same in order, as may be required by the city engineer, to whom he shall be subordinate. The person so appointed shall be styled "the superintendent of sewers," shall hold office for one year from the time of his appointment, or until his successor is chosen, and receive such compensation

as the board of aldermen may determine. Whenever the office of superintendent of sewers becomes vacant it shall be filled in like manner.

Vacancy.

SECT. 4. The city engineer shall make and file in his office, accurate plans of all common sewers, showing all entrances thereto, when made as hereinafter provided. He shall have constant care of, and keep clean and in proper order and repair, all street catch-basins and connecting drains within the limits of any street: *provided*, however, that the superintendent of streets shall keep the entrances to the catch-basins open and clear of ice in cold weather, so as to permit the flow of surface water into them.

Plans of sewers.

Catch-basins.

SECT. 5. He shall keep, and whenever requested, report to either branch of the city council, an accurate account of the cost and all other expenses upon each common sewer: and he shall annually, in December, submit a report of all work performed in the sewer department during the year, the property under his charge, including the total length and original cost of existing sewers, and the amount of all expenditures from the appropriation for sewers.

Shall keep an accurate account of the cost of each sewer.

Annual report.

SECT. 6. Three-fourths of the average cost of a system of sewers, already determined and found to equal two dollars per running foot, shall be assessed according to law: *provided*, that no estate shall be assessed until it can be drained into the sewer; and no estate shall be assessed more than once for the same benefit. The remainder of the cost of such sewers shall be borne by the city.

Amount to be assessed upon abutters. P. S. c. 50, §§ 4, 11. S. 1886, c. 210.

SECT. 7. The city engineer shall prepare and submit to the board of aldermen plans of the estates to be assessed, showing the owners' names, frontages and areas, together with a schedule showing the assessment on the estates abutting and benefited. Such assessment to be determined as follows: four-tenths of the benefit according to the relative frontage, and six-tenths according to the area of the estates, within one hundred feet of the street in which the common sewer has been constructed; the area of corner lots being measured to the line bisecting the angle formed by the lines of the streets. The said four-tenths having been ascertained to be twenty eight cents per front foot, and the said six-tenths having been ascertained to be five and two-tenths mills per square foot, said sums are hereby adopted as the standard rate of assessment.

City engineer shall prepare plans of estates to be assessed.

Method of determining assessment. P. S. c. 50, § 7.

Standard rate.

SECT. 8. The amounts assessed and certified by the board of aldermen shall be entered upon the plan prepared for assessment.

Amounts assessed to be entered on plan.

SECT. 9. Annually, in the month of January, and at other

**Drain layers.** times whenever necessary, the city engineer shall license such drain layers as apply, and are found competent, who alone shall be authorized to make all openings or excavations in any street for the purpose of constructing and repairing private drains, and who shall construct all entrances into the common sewers. Such persons shall hold their license for one year, unless sooner revoked by the city engineer. No such private drain, if of vitrified pipe, shall be laid of a less size than six inches interior diameter, and if of iron, it shall be not less than five inches internal diameter, and of extra heavy pipe, and the work shall be done as directed by the city engineer.

**Size of private drains.**

**Drain layers to give bond.**

**Conditions of bond.**

SECT. 10. Every person licensed as provided in the preceding section shall, before performing any work authorized thereby, execute a bond to the city in the sum of two thousand dollars, with two good and sufficient sureties, to be approved by the city engineer conditioned that he shall comply with the terms of the permit under which entrance is made; that he will cause the excavation to be properly fenced during the whole time the street is obstructed; that he will, when necessary, maintain one or more lighted lanterns in a conspicuous place over such obstruction from twilight in the evening and through the whole night; that he will properly make all entrances to the sewers, and will leave no obstruction of any description in the sewer which he may open; that he will properly close the excavation, restore the earth and pavements taken up, and re-grade and re-pave that part of the street which has been excavated, and keep it in a good and satisfactory condition for a period of one year thereafter, and that if he fails to do so, the street may be repaired by the street department and the expense thereof charged to him; and that he will repay the city such expense, and that he will indemnify and hold harmless the city from any damage or cost to which it may be put by reason of injuries resulting to any one from neglect or carelessness in making or repairing such drain, or in properly fencing or lighting any excavation or obstruction, or in performing any other work connected therewith.

**No private drain shall be entered into sewer without permit.**

SECT. 11. No private drain shall be entered into any common sewer, or into any private drain connected with any common sewer, without a permit in writing from the city engineer; and on the completion of the work, the permit shall be returned to the office of the city engineer, indorsed by the layer of the drain, with a statement of his proceedings thereunder. The city engineer is authorized to grant such permits for estates which abut on the sewer into which an entrance is desired. Each permit shall be subject to the provisions of this chapter, and shall state in detail the premises to which it applies, and the time,

place, manner and construction of such entrance. Each permit may, at the discretion of the city engineer, be subject to the condition that such entrance be made in the presence of any inspector appointed by the city engineer. No private drain from any estate or part of an estate not already assessed, or not liable to assessment for the cost of the sewer, shall be entered into such sewer, except by the consent of the board of aldermen.

Permit may be subject to conditions.

SECT. 12. The city engineer, under the direction of the board of health, is authorized to permit, under such restrictions as said board may deem expedient, the construction of sufficient passage ways or conduits under ground for the purpose of conveying the liquid contents of any vault into any common sewer.

City engineer authorized to permit, under direction of the board of health, conduits from any vault to a sewer.

SECT. 13. No drain connecting with a common sewer, subject to the action of tide-water, shall be constructed without a plug or clapper to prevent completely the reflux of drainage matter, and storm or tide-waters.

Plug, etc., to prevent reflux of tide water.

SECT. 14. All drains not now built in accordance with the requirements herein, shall be reconstructed so as to conform thereto, whenever, in the opinion of the board of aldermen, it may be necessary.

Drains shall be reconstructed, etc.

SECT. 15. No exhaust from a steam-engine and no blow-off from a steam boiler, shall be connected with any common sewer or private drain.

Exhausts from steam engines.

SECT. 16. Whoever cuts into, interferes with or obstructs a common sewer, or enters a private drain therein, except as herein provided, or places or deposits in any street catch-basin any animal or vegetable matter, solid or liquid, or any other filthy substance, or violates any of the provisions of this chapter, shall be liable to a penalty of not less than one dollar, and not more than twenty dollars.

Penalty for interfering with or obstructing a sewer.

SECT. 17. Plans and descriptions of all common sewers belonging to the city, with a true record of the charges for making and repairing the same, and all assessments therefor, shall be kept in the rooms occupied by the city engineer. Said rooms shall be, for the purposes of this chapter, a part of the office of the city clerk.

Plans of sewers, where to be kept. P. S. c. 50, § 14.

CHAPTER 24.

SINKING FUND.

Sinking fund department to be in charge of the commissioners of the sinking funds. How chosen. P. S. c. 23, § 10. 1891, c. 264, § 9.

Vacancy.

No member of city council to be appointed.

Duties. P. S. c. 29, §§ 10, 11.

Loans for what time negotiated. P. S. c. 29, § 8. S. 1882, c. 155.

Bonds to state for what purpose issued.

Amount of appropriation for sinking funds. P. S. c. 29, § 9.

SECTION 1. The sinking fund department shall be under the charge of a board of six commissioners to be styled commissioners of the sinking funds, two of whom shall be appointed in the month of April of each year by the mayor, subject to confirmation by the board of aldermen, to hold their office for the term of three years from the first Wednesday of the May following their appointment. A vacancy in said board may be filled for the unexpired term at any time in the manner provided for the original appointment. No member of the city council shall be a member of such board.

SECT. 2. The commissioners of the sinking funds shall have the care and control of all funds created for the payment or redemption of the city debt, except those pertaining to the water loan. They shall receive all moneys paid to them on account of the sinking funds, and shall invest the same in some safe manner for the benefit of the sinking funds.

SECT. 3. All loans for public buildings and lands therefor, for constructing and improving bridges except for Harvard bridge, for taking, raising and improving low lands, for laying out and paving streets, purchasing public lands and widening streets,<sup>1</sup> other than for park and water purposes shall be negotiated for ten years,<sup>1</sup> or for such other periods of time as may hereafter be authorized. All loans for constructing sewers shall be negotiated for not exceeding twenty years. The Harvard bridge loan shall be negotiated for not exceeding thirty years. <sup>1</sup>All other loans for park and other purposes now and that may hereafter be authorized shall be negotiated for such periods of time as shall not exceed the time or times designated respectively in the act or acts authorizing the same. Bonds issued for all loans shall bear upon their face the purpose for which they were issued.

For sinking funds to redeem at maturity such several authorized loans of the city, there shall be annually appropriated and raised by taxation, on account of loans made for ten years, a sum equal to eight and one-half per cent thereof; on account of loans made for twenty years, a sum equal to three and one-half per cent thereof; and on account of <sup>1</sup> any such loans and any and all

<sup>1</sup> Amended March 7, 1894.

other loans that are now and may hereafter be made for thirty years, a sum equal to two per cent thereof; <sup>1</sup> and on account of loans that may hereafter be made for forty years, a sum equal to one and one-eighth per cent thereof; and all amounts so raised by taxation shall annually, on or before the thirtieth day of November, be paid by the city treasurer to such board. And whenever any payment is so made before the thirtieth day of November, interest shall be paid thereon, by the commissioners of the sinking funds, from the time of said payment until said thirtieth day of November, at such rates as the committee on finance shall, from time to time, determine.

When to be paid.  
P. S. c. 29, § 11.

SECT. 4. The board shall, at the close of each financial year, certify to the auditor the amounts hereunder required to be raised by taxation for the several funds, which amounts shall be put into the yearly appropriation the next succeeding year.

Board to certify amounts required.  
P. S. c. 29, § 9.

SECT. 5. When a debt to be paid from a sinking fund becomes due, the board shall furnish the city treasurer from the funds in its care for such payment the sum required, taking his receipt therefor.

Board to furnish city treasurer sums required to pay debts due.

SECT. 6. The board shall annually, in December, report to the city council the exact condition of the several funds under its control to the first day of said month.

Annual report.  
P. S. c. 29, § 11.

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NOTE. By authority of section eight, chapter one hundred and fifty-three of the acts of eighteen hundred and sixty-five, the mayor, city treasurer, and president of the common council, for the time being, are trustees of the sinking fund of the water works.

<sup>1</sup> Amended March 7, 1894.

## CHAPTER 25.

## STREET.

Street department to be in charge of the superintendent of streets. 1891, c. 364, §§ 9, 10.

His powers and duties.

SECTION 1. The street department shall be under the charge of the superintendent of streets, who shall hold his office for the term of one year from the first day of May in the year of his appointment and until his successor shall be appointed.

SECT. 2. The superintendent of streets shall, under the direction and control of the mayor, have the general care and charge of the highways, streets, bridges,<sup>1</sup> and public squares<sup>1</sup> belonging to the city, and shall attend to the making, mending and alteration thereof, and cause the same to be kept in good repair, so as to be safe and convenient for travellers with their horses and carriages, at all seasons of the year. He shall place suitable street signs on each street at convenient distances apart. He shall keep the entrances to the catch-basins open and clear of ice in cold weather, so as to permit the flow of surface water into them. He shall see that the highways, streets and sidewalks are kept in good order, and that all nuisances and obstructions therein are forthwith removed, or give notice thereof to the mayor or chief of police. And in case of the blockade or obstruction of any street, the person causing such blockade or obstruction shall forthwith notify the superintendent of streets and the chief of police thereof.

Obstruction of street.

Shall hire and control employes, etc.

<sup>1</sup> SECT. 4. He shall have the right to hire, and the general control of, all persons employed in his department, and shall have the custody and management of the horses, carts, stables, shops, sheds and all other property connected with the street department, and shall keep the same in good condition and repair; and he may make all authorized contracts for the supply of any labor or materials required in the discharge of his official duty. He shall annually, in the month of December, present to the city council a report showing the detailed expenses, the material and other property on hand, a detailed account of work done, and other facts in relation to his department.

Shall make all contracts.

Highways, etc., when unsafe shall be fenced off.

<sup>2</sup> SECT. 6. Whenever any highway, street or bridge is from any cause unsafe or inconvenient for travellers, he shall forthwith put up a suitable fence across such highway, street or bridge, and exclude all travellers from passing over the same; or cause the parts thereof, so rendered unsafe and inconvenient, to be

<sup>1</sup> Amended March 13, 1894.

<sup>1</sup> Section 3 repealed March 13, 1894.

<sup>2</sup> Section 5 repealed May 1, 1895.



enclosed by a sufficient fence, which shall be kept standing so long as the same remains unsafe and inconvenient; and he shall also fix one or more lighted lanterns to such fence, or in some other proper manner, to be there kept every night, from twilight in the evening through the night, so long as such fence is kept standing.

Should be lighted at night.

SECT. 7. Whenever the superintendent of streets is about to construct a new street, or to break up the surface of any street, he shall, at least two weeks before beginning work, notify the city engineer, as head of the sewer department, the superintendent of lamps and the water board, the Cambridge Gas Light Company and the West End Street Railway Company. If either of these departments or corporations has any work to be done in the street so designated, it shall consult and arrange with the superintendent of streets, in order that such work may be done before the surface of such street is again prepared for and open to public travel. After such notice and opportunity have been given, neither of the three departments of sewers, lamps or water, nor said corporations, shall, for the space of six months, break up such street within the area of such previous disturbance, except in case of obvious necessity, to be certified to and approved by the mayor.<sup>1</sup>

Superintendent to notify other departments, etc., of proposed construction of opening of streets.

*Street Names and Numbers.*

SECT. 8. The several streets in the city shall continue to be called and known by the names heretofore given to them, until such names are altered by the city council. The city council shall give names to all streets hereafter laid out, and may change the name of a street at any time.

Names of streets.

SECT. 9. The board of aldermen may order numbers in regular series, at the expense of the owner or occupant, of such form, size and material, and in such mode, place, succession and order, as it may determine, to be affixed to or inscribed upon, all buildings on any street. Any owner or person having the control of any such building, refusing or neglecting so to affix to, or inscribe upon the same, the number designated by the board, or allowing any other number to remain thereon more than one week after notice so to affix or inscribe, shall be liable to a penalty of not less than one dollar and not more than twenty dollars.

Street numbers.

*Excavations, Obstructions and Projections in Streets.*

<sup>2</sup>SECT. 10. No person shall break or dig up the ground or stones in any street, or on any sidewalk, or erect any staging for building, or place or deposit any stone, bricks, timber, or building materials thereon, or otherwise occupy, obstruct, or encumber the

No street to be obstructed without license.

<sup>1</sup> Repealed Nov. 18, 1896.

<sup>2</sup> Amended April 13, 1893.

same, without first obtaining a written license from the <sup>1</sup>superintendent of streets for that purpose, and complying in all respects with the conditions of such license.

Licenses for obstructing streets.

<sup>2</sup>SECT. 11. The superintendent of streets may grant licenses in writing to persons having authority in the premises to open, occupy, obstruct, encumber and use parts of any street or sidewalk, and every such license shall specify the time, place, size and use of such opening, occupation or obstruction, and the time within which the street must be put in a condition satisfactory to the superintendent of streets, and each license so granted shall be upon the condition that the person accepting the same shall conform to the statutes and ordinances of the city in force and that may thereafter be in force, and to the specifications in the license; that the license may be revoked at any time by the superintendent of streets; that before performing any work authorized by said license the party licensed shall execute a bond to the city conditioned as required by the ordinances of the city, and subject to the additional condition that he will cause the excavation and obstruction to be properly fenced during the whole time the street is opened and obstructed; that he will place and maintain from the beginning of twilight, through the whole of the night, over or near the place so occupied, opened, obstructed or used, and over or near any dirt, gravel or other material when thereupon or to be used by him, a light or lights fixed to said fence or in some other proper manner sufficient to protect travellers from injury; shall place and maintain a safe and convenient way for the use of foot travellers, and a safe and convenient passage for public travel around or over such place; that if he does not, within the time prescribed by said superintendent, put the street into good condition, satisfactory to said superintendent, he will pay whatever sum the said superintendent shall expend for putting it into good condition, and that he will deliver up the license to the superintendent of streets on or before the expiration of the time fixed in the license for completing the work or any extension or extensions of the same. Said superintendent may, in addition to said specifications, specify in the license, or after the issuing thereof, in writing, the kind of rail or fence to enclose the place, and the kind of way over or around such place, and the manner of constructing the same; and nothing herein contained shall be construed to prevent the insertion in the license of any other specification deemed advisable by the superintendent of streets.

Bond to be given.

Obstruction to be fenced.

Fences to be lighted.

Foot path to be maintained.

Streets requiring repaving and resurfacing within one year from time of excavation.

Should any portion of the street which has been excavated require repaving or resurfacing within a period of one year from

<sup>1</sup> Amended Nov. 18, 1896.

<sup>2</sup> Amended April 13, 1893.

the time it has been disturbed, the superintendent of streets shall, by mail, postage prepaid, notify in writing the person applying for the license under authority of which the disturbance was made, to forthwith make such repairs as, in the opinion of said superintendent, are necessary, and in case of the failure of the said person to make such repairs within twenty-four hours after the sending of such notice aforesaid to the last known address of such person, the superintendent of streets shall then have the right to make such necessary repairs, and the expense of the same shall be paid by the said person, and all amounts received by the city collector for work done or materials furnished under the direction of the superintendent of streets, as above authorized, shall be placed to the credit, and to be used as a part, of the appropriation of the street department.

Superintendent to make necessary repairs.

Whenever any street is opened, occupied, obstructed or encumbered by any department of the city, or any corporation or person, the superintendent of streets shall prevent any unnecessary obstruction while the work is in progress, and shall see that the street is repaired and put in good order when the work is completed. If the street is not repaired to his acceptance he shall forthwith put the same in good order, and shall render a bill for the expense of such repair to the department, corporation or person whose duty it was to repair the street. All openings made in the street for any purpose whatever shall be filled back in layers six inches in depth, and each layer shall be properly rammed and, when necessary, shall be wet down to prevent settling of the filling.

Superintendent to prevent unnecessary obstructions.

Streets to be put in proper repair.

Openings in streets, how repaired.

Before any license hereinbefore described is delivered to any person for the applicant therefor, such person, unless he is an employee of the city, employed on public work, shall certify that a copy of the license entered in a book kept for the purpose is a correct copy of the license he received, and the applicant, unless the application is made in behalf of a department of the city or by a person who has given bond and who applies for a license in accordance with the provisions of chapter 22 of the Revised Ordinances of 1892, shall give a bond in the sum of one thousand dollars with one or more sureties conditioned to the faithful observance of the condition and specifications of every and all such licenses issued to the applicant, and the superintendent of streets may at any time require a new bond which shall be considered a strengthening bond, unless the sureties on the former bond are expressly released from their liability by vote of the city council.

Bond to be given before license is delivered.

Whenever any department of the city, or any corporation or person shall lawfully make any opening or cause any obstruction

Notice of obstruction or opening to be given to superintendent.

in any street, such department, corporation or person shall be held responsible for any damages that may result from such opening or obstruction for a period of one year from the time of making the same.

Violations of conditions of license.

Said superintendent shall not issue any such license to a person who has within one year previous to his application violated or failed to observe the conditions or specifications of any such license without special authority of the city council.

Defects in public ways.

Said superintendent shall keep a record of the notices of defects sent to him, with the name of any person giving the notice, and the time when given, and he shall without delay cause the locality of the alleged defect to be examined, and, if the defect is of such a character as to endanger the safety of public travel, shall do whatever may be necessary to prevent the public from injury by the defect, and cause it to be immediately repaired; and every person in the employ of the city shall send to said superintendent notice of every defect of which he has any knowledge.

Licenses to persons repairing water pipes, etc.

SECT. 12. Said superintendent shall grant such a license to a person who presents a license from the water department to repair or lay water pipes, and to a person who presents a license from the superintendent of lamps to connect with the lamps or pipes of the city.

Licenses for raising and lowering goods, etc., into and from buildings.

Said superintendent may grant to competent persons engaged in the business, licenses to occupy and use certain portions of the streets for the purpose of raising and lowering goods and merchandise into and from buildings, on condition the terms of which shall be those stated in section 11 of this chapter, so far as the same may apply, and in addition that the person applying for the license shall maintain, during the whole time the work is in progress, good and sufficient barriers across the sidewalk, from the wall of the building to or from which they are so raised, out to the curbstone or edge of the sidewalk, on each side of said goods or merchandise, sufficient to protect travellers from injury or danger; and that he will not encumber the sidewalk for more than fifteen minutes at a time for such work.

Lights not to be extinguished.

Penalty.

SECT. 13. Whoever maliciously or wantonly, and without legal cause, extinguishes or diminishes a light fixed in accordance with the provisions of section six, or of section <sup>1</sup>eleven, shall be liable to a penalty of not less than ten nor more than twenty dollars.

Gates or doors not to swing outwards.

SECT. 14. No person shall make, erect or maintain any gate or door in or upon any street in such manner that, when opening the same, it shall swing over such street.

<sup>1</sup> Amended April 13, 1893.

SECT. 15. No person shall make, erect or maintain any door-step, portico, porch, entrance or passage-way to any cellar or basement or any other structure, in or upon any street, without permission in writing, from the superintendent of streets when authorized by the board of aldermen. No person shall suffer the platform or grate of the entrance or passage-way to his cellar or basement in any street, to rise above the even surface of such street; and every such entrance or passage-way shall either be kept covered by a suitable and substantial platform or grate, or, in case it is kept open, it shall be guarded and protected by a sufficient railing, on both sides thereof, at least two feet and a half high, and well lighted at night.

Doorsteps, porticos, entrances to basements, etc., regulated.

SECT. 16. If any person digs or sinks, or causes to be dug or sunk, any well, cistern, drain or other cavity in the ground, near to or adjoining any street, he shall put up and at all times keep up, so long as it is necessary for the purpose, a railing or fence, on or near the line of such street, sufficient to guard and protect travellers and passengers from falling into said well, cistern, drain or other cavity.

Fences shall be built around wells, cisterns, etc., in streets.

*Use of Streets.*

SECT. 17. No person shall move, or assist in moving, any building through or upon any street, unless a written license therefor has been first obtained from the superintendent of streets upon the authority of the board of aldermen, specifying the terms and conditions on which such removal may be made. No such license shall be authorized without public notice and opportunity for hearing. No person thus licensed shall act under his license until he has filed with the superintendent of streets a bond, with sufficient surety, satisfactory in amount to the mayor, to indemnify the city from all loss and damage by reason of such removal. No building shall be removed through any street until the chimneys of the building have been taken down even with the roof.

Removal of buildings. P. S. c. 53, § 17.

Bond.

Chimney to be taken down.

SECT. 18. No person shall run a snow-plow or remove snow from the tracks of a street railway in the streets of the city, unless he removes from such streets, outside of the tracks and between the rails and the sidewalks, an amount of snow sufficient to make such streets safe and convenient for public travel; and all removal of snow from the streets by a street railway corporation shall be done under the direction and to the satisfaction of the superintendent of streets.

Snow from railway tracks to be removed. P. S. c. 113, § 27.

SECT. 19. No person shall, for the purpose of melting snow on the tracks or rails of a street railway, sprinkle any salt or other article of a decomposing nature thereon, or cause or allow

Salt shall not be used on railway tracks. P. S. c. 113, § 27.

such sprinkling to be done; nor shall any person for such purpose wash street railway tracks or rails or cause them to be washed with brine or pickle, except by the written permission of the superintendent of streets.

Rubbish, etc., shall not be placed in street, except.

SECT. 20. No person shall deposit in any street, except as herein otherwise provided, any dead shrub or tree, trimmings of shrubs or trees, post, pole or other article, earth from cellars or any rubbish, unless the same shall be immediately removed therefrom, at the expense of the owner or other person making such deposit; *provided*, that during the months of April, May and November in each year, owners or occupants of premises may, on twenty-four hours' notice to the superintendent of streets, obtain the removal of such dead shrubs and trees or trimmings of shrubs and trees as may have accumulated therein, the same being deposited in the street against the sidewalk adjoining said premises.

Fuel not to remain unnecessarily on sidewalk.

SECT. 21. No person shall suffer his fire-wood, coal or other fuel, in any quantity, to remain unnecessarily in any street over night, or after twilight in the evening. If the same must, of necessity, remain after twilight, or through the night, the owner thereof shall place and keep a sufficient light over or near the same through the night, in order to give notice thereof to travellers.

Snow or ice thrown in street shall be broken up.

SECT. 22. Whoever throws or puts, or causes to be thrown or put into any street, any snow or ice, shall cause the same to be broken into small pieces and spread evenly over the surface of such street. But no snow or ice shall be thrown or put into any street, or upon any bridge, contrary to the orders of the superintendent of streets.

#### *Sidewalks.*

Sidewalks, by whom to be kept in repair.

SECT. 23. All sidewalks shall be kept in repair at the expense of the city; *provided, however*, that all such repairs of the same as shall be rendered necessary by any act of the owner or occupant of the adjoining land, or by any defect in the buildings thereon, or by any other cause under the control of such owner or occupant, shall be made by such owner or occupant; and if he neglects to make such repairs, the same shall be made by the city, at his expense.

Record of streets and sidewalks.

SECT. 24. The city clerk shall enter, in a book kept for the purpose, the names of all the streets in the city, alphabetically arranged; and also a list of all sidewalks, the date of the acceptance, and the names of the owners of the adjacent estates.

Plank walks on sidewalks.

SECT. 25. No person shall place upon any sidewalk any board or plank walk, without first obtaining a written license from the

superintendent of streets authorized by the board of aldermen ; and walks hereafter laid under authority of such license shall be not less than three feet wide, and made in sections not more than twelve feet long, of spruce or pine lumber, of uniform thickness of not less than one nor more than two inches ; and each section shall be cross-tied every three feet in length, with two by four-inch joist. Such walks shall be constructed in accordance with a plan in the office of the city engineer, shall be subject to the approval of the mayor, and shall be removed whenever in the judgment of the board of aldermen public safety and convenience requires such removal ; *provided*, that exceptions may be made in relation to the requirement concerning the width of plank walks, in cases where the sidewalk is too narrow to admit of the prescribed width, and in such cases the board of aldermen may make and allow any necessary change.

Plank walks, authorized as hereinbefore provided, shall be laid and kept in proper condition by the respective owners thereof, and the same shall be taken up by such owners during the spring months whenever the superintendent of streets shall so direct.

SECT. 26. No person shall make, or cause to be made, any aperture in or under any street or sidewalk, for the purpose of constructing a coal hole, or receptacle for any other article, or for light and air, or for any other purpose, without the license of the superintendent of streets authorized by the board of aldermen ; and no person shall leave such coal hole or aperture open or unfastened, except while actually in use. No coal hole in a sidewalk shall be made or maintained more than eighteen inches in diameter, nor excepting the cover therefor is made of iron with a rough upper surface and with three or more iron rods or legs at least two feet in length fitting closely to the under side of the cover, and so constructed that while the cover can be lifted perpendicularly, it cannot be tipped or easily removed from the opening.

Coal-holes, etc.

Size of cover.

Kind of cover.

SECT. 27. No person shall insert a sign in a sidewalk without the permission of the superintendent of streets authorized by the board of aldermen ; and no person shall permit a leader or conductor from the roof of a building owned by him to be so placed or maintained as to direct a volume of water upon or across the surface of the sidewalk.

Signs shall not be placed in sidewalks.

Conductors from roof shall not direct water on sidewalk.

SECT. 28. Whoever desires the removal of ashes <sup>1</sup>accumulated from the burning of materials for heating or domestic purposes only, and other house dirt, not including house offal, shall cause the same to be put in suitable boxes or barrels, and set upon

Ashes and other house dirt, removal of.

<sup>1</sup> Amended April 20, 1899.

the sidewalk adjoining his premises, and the superintendent of streets shall cause such removal to be made at least once in each week, on stated days for different portions of the city; but such boxes or barrels shall not be placed upon any sidewalk so as unnecessarily to prevent the convenient use thereof by travellers. Wherever there is a convenient driveway into a yard connected with any dwelling-house, the superintendent of streets may, at his convenience and upon reasonable notice, cause the city teams to be driven into such yard, and to remove therefrom the ashes and rubbish before mentioned that may be accumulated therein, at the times hereinbefore specified.

Ashes in street after dark, shall be lighted.

Any person having or leaving after dark any ashes, rubbish, or other refuse on any street shall cause a lighted lantern to be kept thereon during the night.

Snow shall be removed from sidewalks.

SECT. 29. The tenant or occupant, or any person having the care of a building or lot of land bordering on a street where there is a sidewalk or footway, or, if there is no tenant, occupant or other person having the care of the whole of such building or lot, the owner thereof, shall, within twelve hours after snow ceases to fall in the daytime, and before one o'clock on the afternoon after a fall of snow during the night, cause all snow that may be on such sidewalk or footway to be removed therefrom; and if he fails so to do, he shall be liable to a penalty of not less than two nor more than ten dollars; and for each and every hour thereafter during which such snow remains on such sidewalk or footway, he shall be liable to a further penalty of not less than one nor more than ten dollars. The provisions of this section shall apply to snow which falls from buildings as well as to that which falls from the clouds.

Penalty.  
P. S. c. 53, § 7.

Ice to be removed from sidewalk or covered with sand, etc.  
P. S. c. 53, § 7.

SECT. 30. When any portion of a sidewalk is encumbered with ice, the tenant or occupant, or any person having the care of the building or lot of land adjoining such sidewalk, or, in case there is no tenant, occupant or other person having the care of the whole of such building or lot, the owner thereof shall cause such sidewalk to be made safe and convenient by removing the ice therefrom, or by keeping the same covered with sand or some other suitable substance; and if such tenant, occupant, owner, or other person neglects so to do for the space of six hours during the daytime, he shall be liable to a penalty of not less than two nor more than ten dollars, and to a like penalty for each and every succeeding day during which such sidewalk continues to be so encumbered.

Penalty.

Removal of snow and ice where more than one tenant occupies house.

SECT. 31. When a tenement-house or other building is used or occupied by more than one tenant, the owner or person having the care of such house or building shall cause the snow and ice to



be removed from the sidewalk or footway adjoining such house or building, in the manner provided in the two preceding sections, and in default thereof shall be liable to the same penalties as are therein provided. Penalty.

SECT. 32. Any person licensed under the provisions of sections ten and eleven of this chapter, whenever so ordered by the mayor or the superintendent of streets, shall erect and maintain in good condition, day and night, a temporary sidewalk abutting upon that part of the street which he is licensed to use and obstruct, not less than three feet in width, made of sound planks not less than five inches wide and one and a half inches thick, spaced apart one-half an inch, securely fastened to cross-bearers not less than four inches square, and placed at intervals not exceeding four feet. Such walk is to be properly levelled and made, and kept safe and convenient for travellers. Such walk may be laid in sections not less than eight feet in length. Person licensed to encumber street shall maintain a temporary sidewalk.

SECT. 33. No canopy, awning, shade, shade-frame or shade-curtain, unless constructed of cloth or canvas attached to an iron frame, securely fastened and supported from above, and no part less than <sup>1</sup>seven feet above the level of the sidewalk over which it is placed, shall hereafter be erected or maintained within the limits of any street, without permission of the superintendent of streets authorized by the board of aldermen.<sup>2</sup> And no clothes dryer or clothes line, and no clothes or garment shall be hereafter placed or hung over a sidewalk or within the limits of any street without such permission. All permissions given under this section shall be in writing, signed by the superintendent of streets. Awnings, shades, etc. P. S. c. 28, § 24

SECT. 34. Every owner of an estate hereafter maintaining any cellar, vault, coal hole or other excavation under the part of the street adjacent to, or which is a part of, his estate, shall do so only on condition that such maintenance shall be considered as an agreement on his part to hold the city harmless from any claim for damages to himself or the occupants of said estate resulting from gas, sewage or water leaking into such excavation, and every such owner, and every owner maintaining a post, pole or other structure in or over a street, or a wire, pipe, conduit or other structure under a street, shall do so only on the condition that such maintenance shall be considered as an agreement on his part to keep the same and the covers thereof in good repair and condition, at all times during his ownership, and to indemnify and save harmless the city against any and all damages, costs, expenses or compensation which it may sustain, or Person maintaining any coal hole or other excavation under any part of a street, or pole wire, conduit, etc., shall save the city harmless from all loss, etc.

<sup>1</sup> Amended June 16, 1898.  
<sup>2</sup> Amended June 30, 1898.

be required to pay by reason of such excavation or structure being over, under, or in the street, or being out of repair during his ownership, or by reason of any cover of the same being out of repair or unfastened during his ownership.

*Powers of Surveyor of Highways.*

Surveyor of  
highways.

SECT. 35. The provisions of this chapter shall not be taken or construed as limiting in any manner the legal rights and duties of the surveyor of highways to order such alterations and repairs in streets as he may deem that the safety and convenience of the inhabitants require.

CHAPTER 26.

TREASURY.

SECTION 1. The treasury department and the collection of taxes shall be under the charge of the city treasurer, who shall be *ex officio* the collector of taxes. He shall hold his office for the term of one year, from the first day of March in the year of his election and until his successor is appointed and qualified. He shall receive, receipt for and have the care and custody of the current funds of the city, and also of all moneys, property and securities which may be in his charge by virtue of any statute or ordinance, or by virtue of any gift, devise, bequest or deposit. He shall negotiate all loans authorized by the city council, and shall sign all bonds, notes and certificates of indebtedness issued for loans to the city, authorized by the city council. As collector of taxes he shall have all special powers conferred on a treasurer appointed collector by a vote of the city council. He may be elected by the board of commissioners of sinking funds, to serve as the treasurer of said board, and in such case shall receive in addition to his salary, the salary fixed for said office.

Treasury department to be in charge of city treasurer.

Appointment, S. 1891, c. 364, § 20.

General duties. P. S. c. 27, §§ 28, 123.

Whenever the office of city treasurer shall be vacant, the city council shall fill the vacancy in the same manner as provided for the annual election.

He may be elected treasurer of commissioners of sinking fund. P. S. c. 29, § 10.

Vacancy.

SECT. 2. The treasurer shall pay all drafts, checks and orders directed to him from the auditing department as provided by ordinance, for the payment of demands against the city; shall, on presentation pay all executions against the city duly certified as correct by the city solicitor; also, all bonds issued by the city, and the interest on the same as they or it becomes due; shall cancel all bonds and coupons and immediately transmit to the city auditor the bonds, coupons and executions so paid.

Shall pay all drafts, etc.

Shall cancel all bonds.

SECT. 3. The treasurer shall use and apply in such manner as the city council may direct, all property, money and securities in his possession at the close of each financial year. The financial year shall begin with the first day of December in each year.

Property, etc., in his possession November 30.

Financial year. S. 1891, c. 364, § 36.

SECT. 4. The treasurer shall receive and have the care and custody of all sums of money paid by persons for the perpetual care of lots in the Cambridge cemetery, and give the vouchers of the city therefor. He shall notify the superintendent of the cemetery of all such payments together with a description of the lots and graves on account of which such payments are made,

Shall receive money for the care of lots in Cambridge cemetery.

Interest on cemetery fund.

and annually, at such times as the board of commissioners of the Cambridge cemetery requests, shall pay over to them six per centum as interest upon all sums so paid to and receipted for by him previous to December thirtieth, eighteen hundred and eighty-five, and four per centum upon all sums paid to and receipted for by him thereafter. He shall invest such moneys in some safe manner, and pay the amount of interest realized thereon into the city treasury. The fund created by such payments shall be denominated "the cemetery fund for the perpetual care of lots."

Receipts from dog licenses.

SECT. 5. The treasurer shall receive all sums of money paid under the provisions of the one hundred and seventh section of chapter one hundred and two of the public statutes of the Commonwealth, and shall forthwith credit the amount of such money to the appropriation for the public library.

Such moneys to be added to appropriation.

Bond.  
P. S. c. 27,  
§§ 91, 92, 105.

SECT. 6. The treasurer shall give a bond in such form as the city solicitor shall approve, with sufficient sureties, to be approved by the mayor in a sum not less than forty thousand dollars, which bond shall be executed, approved and delivered before he enters upon the duties of his office, and within ten days after his election. Should he fail to give such bond within the time herein required, the election shall be void and a new election shall be had forthwith. In case of the death or insolvency of any of the sureties on any bond so given, the treasurer shall immediately notify the mayor and give a new bond with sufficient sureties or surety, which new bond shall be a strengthening bond, unless the sureties on former bond are expressly released from further liability by order of the city council; and if he fails to give such new bond within a reasonable time after notice to do so, it shall be sufficient cause for removal from office.

In case of death, etc., new bond.

Failure to give new bond.

Shall collect all rents, water-rates, etc.

SECT. 7. The treasurer shall be the collector of all rents, water-rates and other sums payable to the city, not otherwise specially provided for. He shall, in the month of April in each year, notify all persons assessed for the use of water that the annual bills for water-rates are due and payable at his office on the first day of May; and he shall give notice of and collect all other bills on account of the water-works, which may, from time to time, be placed in his hands by the water registrar. He shall supply to the water registrar daily, a true record of his receipts on account of the water-works, with the number and amount of each bill collected.

Shall report daily receipts to water registrar.

Shall keep a record of receipts and payments.

SECT. 8. He shall keep, in books provided for that purpose, an accurate and true account of all his receipts and payments as city treasurer and collector of taxes, making the same conform as nearly as may be with the accounts kept by the city auditor. He shall credit each department or account with all sums

received on its account, and shall charge to each all sums paid out on such accounts. He shall not pay any money out of the treasury except upon orders of the mayor drawn in the form prescribed in chapter four section three, or except for special purposes as provided in the fifth and sixth sections of that chapter. He shall annually, in December, report to the city council a written statement, in detail, of receipts and expenditures for the year ending November thirtieth, and submit a copy thereof to the mayor and the finance committee.

Shall not pay money out of the treasury except.

Annual report.

SECT. 9. He shall, on the first day of every month, report to the auditor a written statement, in detail, of all his collections, receipts and disbursements during the preceding month, with the names of the persons of, or to whom and on what account the same were received or paid. It shall be sufficient, in reporting the receipts for taxes, assessments and water-rates, to state the amount received, and the particular warrant, assessment or account upon which the collection was made. He shall also report a true record of all discounts, abatements and repayments allowed during the month on taxes, assessments, water-rates or other accounts.

Shall report to the auditor monthly.

SECT. 10. Whenever any assessments for defraying the expenses of constructing or repairing common sewers, or of completing sidewalks, are delivered to the treasurer for collection, he shall forthwith make a demand in writing for the payment of said assessments; and, if any such assessments remain unpaid for three months after such demand, and no notice of apportionments, or request therefor be filed in his office, he shall collect the same according to law. Whenever the amount due and payable on any mortgage belonging to the city is paid to the treasurer, he shall certify the same forthwith to the mayor.

Sewer and sidewalk assessments. P. S. c. 50, §§ 4, 11.

Payments on mortgages.

SECT. 11. After heads of departments shall have furnished weekly pay-rolls of such employees in their respective departments as are entitled by law to be paid weekly, and shall have furnished monthly pay-rolls for all other employees, stating the name and residence of each employee, the time for which payment is to be made, the rate of wages and the amount due him, and after such pay-rolls shall have been properly approved and certified, the treasurer shall, in person, or by his clerk, make payment to such employee, his authorized agent or attorney, and shall take therefor the receipt of no other person than such employee, agent or attorney. The treasurer shall pay all employees of the city, whose names are borne upon such pay-rolls, either in person at the city hall, or by sending a clerk or pay-master to pay such persons at the place where they are employed. He may also make the necessary arrangements for

Pay-rolls of employees.

Where paid.

Transportation of pay-master.



the transportation of such clerk or pay-master to the place as aforesaid.

Salary of treasurer.

SECT. 12. The treasurer shall receive such salary as the city council shall from time to time determine, which shall be in full compensation for all services rendered in his official capacity as city treasurer and collector of taxes. All fees, charges and commissions of every kind allowed by law, for the collection of taxes, betterments, rates and assessments of every kind, to the treasurer and collector of taxes shall be collected and paid by him into the treasury, and shall become the property of the city. At the end of each month he shall make and give to the auditor a written statement, subscribed by him, of all fees, charges, costs and commissions of every kind and description, allowed by law and received by him or any deputy collector acting under authority of law by his appointment, for collection of taxes, rates, betterments, assessments or otherwise, during that month; and shall certify thereon that all moneys so received by him or them have been paid into the treasury. He shall be allowed such reasonable sums, from time to time, as will reimburse him for expenses necessarily incurred in the employment of deputy collectors, sheriffs, deputy sheriffs or constables, in the collection of poll or personal taxes.

Fees, etc., to be paid into the treasury.

Shall report monthly to the auditor all fees, etc., received.

To be reimbursed for expenses incurred in collecting taxes.

Collection of taxes.  
S. 1892, c. 168,  
S. 1888, c. 390.

SECT. 13. The treasurer shall, as soon as possible after receiving any tax list and warrant, send a notice to each person assessed, resident and non-resident, of the amount of his tax. If he shall send such notice through the mail, he shall postpay and direct the same to the city or town which was the place of residence of such person on the first day of May of the year in which the tax was assessed, and if to a resident of this city, shall direct it to the street and number of his residence, if possible.

Collection of poll tax.  
P. S. c. 12, § 2.

SECT. 14. When the treasurer receives from the assessors tax lists for poll taxes assessed on persons who are assessed for a poll tax only, he shall immediately send a notice to each person so assessed, and if he shall send such notice through the mail he shall postpay and direct the same as in the case of the notice provided for in the preceding section. If such poll tax be not paid at once, the treasurer shall forthwith proceed to collect the same in the manner provided by the laws of the commonwealth for the collection of taxes from delinquents.

Rates of interest on unpaid taxes.  
P. S. c. 11, § 67.

SECT. 15. Upon all taxes remaining unpaid upon the tenth day of October, interest shall be charged at the rate of six per cent per annum, and on the first day of November, the treasurer shall issue his summons to all delinquents, that, if their taxes are not paid within ten days from the date thereof, with twenty cents for said summons, he will then proceed to collect the same

Summonses for unpaid taxes.

according to law; and he shall give notice by attaching this section to all tax bills.

SECT. 16. The treasurer shall, during the first week of each month, render to the mayor a statement of his receipts and payments for the month preceding, together with a summary of the items of his receipts and payments for the current financial year up to the close of the preceding month.

Shall render a  
monthly  
statement to  
the mayor.

## CHAPTER 27.

## WATER-WORKS.

Water-works department to be in charge of the water board. 1891, c. 364, §§ 9, 10.

Appointment and term of office.

SECTION 1. The water-works department shall be under the charge of the Cambridge Water Board, which shall consist of five persons, to be appointed by the mayor, subject to the confirmation the board of alderman.

The mayor shall annually, in the month of June, appoint, subject to the confirmation of the board of aldermen, one person to be a member of the water board, who shall hold office for the term of five years from the thirtieth day of June in the year of his appointment. A vacancy shall be filled in the same manner, and the person appointed to fill a vacancy shall hold office for the remainder of the term for which his predecessor was appointed. Said members shall, in addition to the above term, hold office until others are appointed in their places. No member of the city council shall be appointed a member of this board.

President.

SECT. 2. The president of the water board shall be elected by the board, and shall be one of the persons appointed as provided in the first section of this chapter. The board may choose a clerk, and make such rules and regulations for its own government and in relation to all its officers as may be deemed expedient.

Clerk.

Powers of board.

SECT. 3. The board, so constituted and organized, shall have and exercise all the powers vested in the city council by the legislature, by the one hundred and fifty-third chapter of the acts of the year eighteen hundred and sixty-five, and by the one hundred and sixty-fifth chapter of the acts of the year eighteen hundred and seventy-five, and by the two hundred and fifty-sixth chapter of the acts of the year eighteen hundred and eighty-four, and by the one hundred and thirty-seventh chapter of the acts of the year eighteen hundred and eighty-eight, and by any acts in addition to any of said acts, so far as the same can be legally delegated; and it may appoint a superintendent, water registrar, and all other subordinate agents and assistants, and fix their compensation and that of the clerk before mentioned subject to the approval of the committee on finance.

SECT. 4. The board, on or before the fifteenth day of December in each year, shall present to the city council a report containing a statement of the condition of all the water-works and of the lands and other property connected therewith, with an account of all receipts and expenditures and a schedule of pro-

Annual report.



perty on hand, together with any information or suggestions which it may deem important; and shall at the same time transmit to the city council the reports of the superintendent and water registrar.

SECT. 5. The board may sell such of the personal property connected with the water-works as it may deem expedient, subject to the approval of the mayor.

May sell personal property.

SECT. 6. The president of the board shall exercise a general supervision over all the water-works, and the materials and property connected therewith, and over all subordinate officers and agents. In case of his absence or inability, his duties may be performed by a president *pro tempore*, to be chosen by the board.

Duties of president.

SECT. 7. The board shall have full power to make all necessary repairs, extensions or improvements on said works, and to provide new supply-pipes. All hydrants, stand-pipes and drinking fountains, established by the city, shall be constructed, and all repairs upon such hydrants, stand-pipes and drinking fountains made, and the streets, when broken up, shall be again put in good order, to the satisfaction of the superintendent of streets, by and under the direction of the water-board. The board shall have no power to expend any money, or to incur any debt, beyond the amount of appropriations made by the city council.

Repairs, etc., of water-works.

Hydrants of city.

SECT. 8. No member of the board, and no person appointed to any office or employed by virtue of this chapter, or of the acts of the legislature mentioned in the third section of this chapter, shall be interested, directly or indirectly, in any contract, bargain, sale or agreement, in relation to the water-works, or any matter or thing connected therewith, wherein the city is interested; and any and all contracts, bargains, sales or agreements, made in violation of this section, shall be void as to the city.

Members of board, etc., not to be interested in contracts.

SECT. 9. The board shall determine and assess the water-rates according to the tariff of rates adopted by the city council, and shall have power to establish such regulations as it may deem expedient for the introduction and use of water; and the water shall not be supplied to any building unless the pipes and fixtures are made conformable to such regulations.

Water-rates.

SECT. 10. The board shall annually elect a superintendent of the water-works, who shall be a citizen of Cambridge. He shall take charge of the aqueducts, lands, reservoirs and other works and property connected with the water-works, as the water board may from time to time direct; and he shall perform all such services in relation thereto as may be required of him by the board, and shall annually, during the first week of December, present to the board a report of the general condition of the works. He may at any time be removed by the board.

Superintendent.

His duties.

Water  
registrar.  
Duties.

SECT. 11. The board shall annually elect a water registrar who may at any time be removed by the board. He shall perform all such services as may be required of him by the board, and shall annually, during the first week of December, present to the board a detailed statement of all receipts and expenditures in his department for the year ending November thirtieth; a statement of the number of water-takers; the number of cases in which the water has been cut off; the number and amount of abatements; and such other matters as he or the board may deem expedient.

Further duties  
of registrar.

SECT. 12. The registrar, under the direction of the board, shall cause to be visited, once in each year, all premises where the water is taken, and shall exercise a constant supervision over the use of the water.

Receipts.

SECT. 13. All moneys paid into the treasury on account of said works shall be placed to the credit of the water works, and shall not be paid out except under the provisions of this section and chapter four. The mayor may draw his draft for all sums of money becoming due for interest on the Cambridge water loan, and the amounts so paid shall be charged to the water-works. The treasurer shall annually, on or before the thirtieth day of November, pay over to the trustees of the sinking funds, provided in the first act named in the third section of this chapter, a sum not less than three and one half per cent. of the par value of the then outstanding water bonds.

Water rates,  
when to be  
paid.

SECT. 14. The annual rent for the use of the water shall be payable in advance on the first day of May in each year. All charges for specific supplies, or for fractional parts of the year to May first, shall be payable in advance and before the water is let on.

Penalty for  
non-payment.

SECT. 15. In all cases of non-payment of the water rent in thirty days after the same is due, the registrar shall cut off the supply; and the water shall not again be let on, except upon the payment of the sum of two dollars, and not for the same occupant or owner, except upon the payment also of the whole amount due; and every person whose water rent is unpaid on the fifteenth day of June, shall be liable to said penalty of two dollars, though the supply may not have been actually cut off; *provided*, that in case of specific supplies or for fractional parts of the year, when the water has been let on, it may be cut off immediately after notice given at the place that the rent is not paid, and may be let on again upon the conditions before mentioned. And the foregoing provisions shall apply when two or more parties take the water through the same service pipes, although one or more may have paid the proportion due from him or them.

All bills for water furnished by meter shall be payable quarterly; and if the same be not paid within twenty days after the end of the quarter, the registrar shall cut off the supply after sending a special notice that the water will be so cut off for non-payment.

SECT. 16. The registrar, under the direction of the board, may make abatements in the water rents in all proper cases. Abatements.

SECT. 17. The registrar shall keep suitable books in which shall be entered the names of all persons who take the water, the kind of building, the name and number of the street, the nature of the use, the number of takers and the amount charged, and amounts of abatements, which shall always be open to the inspection of the board, and any committee of the city council. Records.

The registrar shall, at the end of each year, report to the board, — Registrar's report.

1. The amount of the bills sent to the treasurer.
2. The amount of the abatements.
3. The amount of the uncollected bills.

SECT. 18. No person shall injure any public pipe, reservoir or fire hydrant connected with the water-works, or shall break and enter the same, or draw off or cause to be removed, any of the water therefrom; or shall turn on or off the water in any such water pipe, reservoir or fire hydrant, or shall make any opening or connection with such pipe, reservoir or fire hydrant, or remove the cover of any hydrant, except in case of fire, without the license or permit of the water board, or by authority of the mayor, and then only under the direction of the superintendent of the water-works, who shall provide competent men to perform the same; and the expense thereof shall be charged to the person or department applying for such license or permit. Injuries to pipes, reservoirs, etc.

SECT. 19. The following regulations shall be considered a part of the contract with every person who takes the water; and every such person, by taking the water, shall be considered to express his consent to be bound thereby. These regulations shall be printed upon every bill for water rent, and whenever any one of them is violated (notwithstanding two or more parties may receive the water through the same pipe), the registrar shall cause the water to be cut off, and it shall not be let on again except upon payment of two dollars and all chargeable rates; and further in case of any such violation, the board may declare forfeited any payment made for the water, by the person committing such violation, and the same shall thereupon be forfeited. Regulations relative to use of water. P. S. c. 27, §§ 16, 17. P. S. c. 28, § 2.

The regulations are as follows: —

1. All persons taking the water shall, at their own expense, Takers to keep service pipes in repair, etc.

keep the service-pipes within their premises in good repair and protected from frost, and they will be held liable for all damage which may result from their failure to do so.

To prevent waste, etc.

2. They shall prevent all unnecessary waste of water, and there shall be no concealment of the purposes for which it is used.

Pipes inserted by city not to be altered, except, etc.

3. No alteration shall be made in any of the pipes or fixtures inserted by the city, except by its agents, who shall be allowed to enter the premises supplied, to examine the apparatus, and to ascertain if there is any unnecessary waste; and no plumber or other person shall make any alteration or extension of the pipes in any house or on any premises without first giving notice to the registrar, and procuring a written permit from him, which shall be returned to the registrar within ten days after the completion of the work, endorsed with a statement of all fixtures added or removed. Any person violating this regulation shall be fined not more than twenty dollars.

Water not to be supplied to other parties.

4. No water shall be supplied to parties not entitled to the use of it under the city ordinances, unless by special permission.

Fountain.

5. Except as hereinafter provided, no connection of a fountain shall be made, directly or indirectly, with the water pipes of the city. Persons desiring water for fountain purposes, shall make application in writing to the board, stating the number and size of the jets to be used, and the hours of the day and the months during which it is proposed to use the same. Upon such application the board shall fix the rate to be charged to the applicant, and the connection with the water pipes shall be made by and under the direction of the superintendent; it being understood and agreed that the water shall be employed exclusively for fountain purposes, unless supplied through a meter.

Abatements for vacancy or non-use.

6. Whenever on account of non-occupancy of premises or non-use of water an abatement is desired, and notice thereof is given at the office of the registrar, while the person liable for the water-rates is in possession of the premises, the water shall be cut off by an employee of the board and an abatement made, less the charge of one dollar for cutting off; *provided*, that such seal-locks as may be adopted by the board may be placed upon faucets in tenements so connected with other tenements that they cannot be separately shut off in the street; but they shall not be put on in any house that can be so shut off from the street, except for particular fixtures.

The charge for putting on such seal-locks shall be established by the board. Such seal-locks shall not be taken off by any one except an employee of the board, on penalty of forfeiting all claims for allowance, and having the water shut off from the premises.

7. The registrar, with the necessary agents and assistants, **Right of entry.** may enter the premises of any water-taker to examine the quantity used, and the manner of use, and to cut off the water for non-payment of rents or fines, or for any violation of these regulations.

The registrar shall make all water-rate charges, excepting charges for metered water, to the owner of the property, and in every case the owner shall be liable for the water-rates, except where the ownership is changed after water is shut off for non-payment, in which case the new owner shall be liable for the water-rates from the time when the water is again let on. **Water-rates to be charged to owner.**

SECT. 20. An owner or occupant of premises in which water furnished by the city is used, who fails to keep his service-pipes and fixtures in good order, and neglects to repair the same within three days after they have, from any cause, become defective, or who neglects to shut off the water after using it, so that it runs to waste, shall be liable to a fine of two dollars; and if such fine is not paid within two days from the time when the person incurring it receives notice that he is liable thereto, the water shall be cut off from his premises, and shall not be let on again until the waste is stopped and the fine paid, together with an additional sum of two dollars for cutting off and letting on the water; and in case of a second offence during the same year, a fine of four dollars shall be imposed, and if it is not paid within two days, as aforesaid, the water shall be cut off, and shall not be let on again until the cause of complaint is removed and the fine paid, together with two dollars for cutting off and letting on the water; and in case of a third offence, the water shall be cut off, and shall not be let on again except by a vote of the board and the payment of such fine, not exceeding ten dollars, as the board may impose. **Penalty for waste of water and not keeping service pipes, etc., in good order.**

SECT. 21. The board shall have the power to decide what shall be considered a waste or improper use of water, and to restrict the use thereof when it may deem it necessary; and if the water-taker refuses or neglects to comply with any order of the board, after notice given to him, the water may be cut off, and shall not again be let on, except by a vote of the board, and the payment of such fine, not exceeding ten dollars, as the board may impose. **Board to decide what is waste, etc.**

SECT. 22. The board shall have the power to restrict the use of hand-hose to such hours of the day as it may deem necessary; and for any violation of such restriction the occupant of the premises shall be liable to the penalties imposed in the preceding section for a waste or improper use of water. **Board may restrict use of hand-hose.**

SECT. 23. The water registrar shall, under the direction of the water board, make out the annual bills for water-rates, and deliver the same to the treasurer on or before the tenth day of April in each year, and shall make out bills for all other amounts payable **Registrar to make out water bills.**

Bills to be numbered.

to the city on account of the water-works, and deliver the same to the treasurer, from time to time, as they may become due. All the bills so delivered by the water registrar shall be numbered to correspond with the number of the charge on his books.

Abatements and refunds.

A certificate of each and every abatement and refund shall be furnished by the registrar, which certificate shall be addressed to the treasurer, and shall state the account on which it is allowed, and the number of the bill. The registrar shall, on the first day of every month, report in writing to the auditor the amount of the bills of each class placed in the hands of the treasurer for collection, and also the amount abated or ordered to be refunded, during the preceding month. <sup>1</sup>Whenever it shall appear to the water registrar that an error has been made in the rates charged for any house or tenement whereby a larger amount has been charged than is required by section 24 of this chapter, he shall cause an abatement certificate to be made for the amount of the excess charged, and forthwith transmit the same to the city treasurer, who shall send a corrected notice to the owner or the person to whom the rates are charged.

Registrar to report to auditor, etc.

<sup>2</sup>SECT. 24. The following rates shall be charged annually for the use of the water, namely:—

*Dwelling-Houses.*

Rates to be charged for water.

Dwelling-houses.

	Per Year.
Occupied by one family, for the first faucet . . .	\$ 4 00
For each additional faucet, to be used by the same family . . . . .	2 00
Each wash basin . . . . .	2 00
Each set washtub, with faucet . . . . .	2 00
When a house is occupied by more than one family, one faucet only being used by all, for each family . . .	3 00
When a house is occupied by more than one family, the highest rates will be charged for each family having the water carried into their part of the house.	
For the first bathtub . . . . .	4 00
When used by more than one family, for each family, . . . . .	3 00
For each additional bathtub . . . . .	3 00
For the first water-closet, self-regulating . . . . .	3 00
When used by more than one family, for each family, . . . . .	2 50
For each additional water-closet, self-regulating . . . . .	2 00
For each water-closet, not self-regulating . . . . .	10 00
When used by more than one family, for each family, . . . . .	8 00
Each slop-closet . . . . .	3 00

<sup>1</sup> Amended April 4, 1895.  
<sup>2</sup> Amended March 29, 1894.

Per Year.

When two faucets are used, one for hot and one for cold water, both emptying into one vessel, but one charge will be made for both, and the same rule applies to boarding-houses.

*Provided*, That in no case shall the charge for the use of water by a private family, exclusive of water closet, not self-regulating, hose and stable, be more than . . . . .

\$15 00

And including stable for not more than four animals, more than . . . . .

22 00

And including use of hose for stable for not more than four animals, and for garden not exceeding five thousand feet. . . . .

27 00

*Apartment Houses or Family Hotels.*

For the use of water in apartment houses or family hotels which are arranged in suites of rooms for different families, the charge to each tenement, exclusive of water-closet not self-closing, shall not exceed \$14.

Apartment houses or family hotels.

[Apartment houses or family hotels, so-called, shall be taken to mean and include dwellings constructed especially for and occupied by three or more families, each tenement being arranged in flats or suites of rooms connected, and having the conveniences of a distinct house, without regard to the location of the water fixtures. All other dwellings occupied by one or more families shall be classed under the head of dwelling-houses.]

1

*Stores, Etc.*

Per Year.

Stores, etc.

For each tenement occupied as a store, warehouse, or office . . . . .

\$3 00

Where two or more such tenements are supplied from the same faucet, each . . . . .

2 50

For markets, saloons, workshops, or for purposes not included in any other classification, and not requiring more than an ordinary supply of water taken from one faucet, from . . . . .

5 00 to 25 00

For the first self-regulating water-closet or urinal used by the occupants of one tenement only . . . . .

3 00

(Explanation: When a self-regulating water-closet and urinal are in one room, but one charge for each tenant shall be made for both fixtures.)

When used by occupant of more than one tenement, for each. . . . .

2 50

1 Amended March 13, 1895.

	Per Year.
For water-closet, not self-regulating, for single tenement . . . . .	\$10 00
Each slop-closet . . . . .	3 00
For water-closet, not self-regulating, used by occupant of more than one tenement, for each . . . . .	6 00
For each additional fixture, one half of the above charges shall be added.	

*Private Stables.*

Private stables. For first horse . . . . .	4 00
Each additional horse . . . . .	2 00
Each cow . . . . .	2 00

*Livery, Club, and Boarding Stables.*

Livery stables, etc. For not exceeding five horses, the same as private stables.	
Each additional horse . . . . .	2 00

*Car and Omnibus Stables.*

Car and omnibus stables. For not exceeding five horses, the same as private stables.	
Each additional horse . . . . .	2 00

*Truck and Cart Stables.*

Truck and cart stables. For each horse, if two or more . . . . .	2 00
The above includes water for washing carriages, omnibuses and cars, without hose.	
No stable less than . . . . .	4 00
Where hose is used in any stable, an addition will be made to the above charges, as follows:—	
For the first horse . . . . .	5 00
For each additional horse . . . . .	50

*Hose.*

Hose. For washing windows and other similar uses, including watering gardens of less than 5,000 feet . . . . .	5 00
For above purposes and for private stable . . . . .	10 00
For other cases arrangements may be made with the Water Board.	

*Hotels.*

Hotels. For each bed for boarders and lodgers. . . . .	3 50
Or special arrangements may be made with the water board.	

*Baths.*

Baths. For public bath, and for each bath in any hotel. . . . .	10 00
Water-closets in public bath-houses . . . . .	10 00



*Steam-Engines.*

For each engine, working not over twelve hours a day,	Per Year.	
for each horse-power . . . . .	\$6 00	Steam-engines.

<sup>1</sup>The Water Board shall have power to ascertain by meter the quantity of water used in any case, and a meter shall be applied whenever, in the judgment of the board, it is expedient. The charge for metered water shall be based on annual consumption, as follows : —

- For the first 50,000 cubic feet, 15c. per 100 cubic feet.
- From 50,000 to 200,000 cubic feet, 12c. per 100 cubic feet.
- From 200,000 to 500,000 cubic feet, 11c. per 100 cubic feet.
- From 500,000 cubic feet to 5,000,000 cubic feet, 8c. per 100 cubic feet.

When the water used by any one taker shall amount to more than five million cubic feet in any one year, commencing the first day of July, then the charge shall be at the rate of seven and one-half cents for each hundred cubic feet of the excess over that quantity.

In no case, however, shall the minimum charge for metered water be less than fifteen dollars per annum.

In addition to the charge for water used, an annual rental of two dollars for each meter shall be assessed, commencing April 1, 1898.

All water passing through a meter will be charged for, whether used or wasted.

If a meter gets out of order and fails to register, the consumer shall be charged at the average daily consumption as shown by the meter when in order.

All charges for metered water shall be made to the owners of the property.

All bills for water furnished by meters shall be payable quarterly at the office of the city treasurer; and if the same be not paid within twenty days after the end of the quarter, the registrar is instructed to cut off the supply, after sending a special notice that the water will be cut off for non-payment.

When water is required for purposes which are not specified in the foregoing tariff, the rate shall be fixed by the board.

The board shall have power to prevent the erection of yard hydrants, and water shall not be supplied to any water-closets unless such water-closets are constructed to conform to the plumbing ordinances.

SECT. 25. All water required by the city in its various departments, shall be furnished free of charge.

SECT. 26. The police shall report to the registrar all cases of

<sup>1</sup> Amended February 12, 1898.

Police to re-  
port waste, etc.

leakage, waste or unnecessary profusion in the use of the water, and all violations of this chapter that may be brought to their notice.

Salary of  
treasurer of  
sinking fund  
of water-  
works.

SECT. 27. There shall be paid to the person chosen by the trustees of the sinking fund of the water works, as their secretary and treasurer, an annual salary of two hundred dollars. Said salary to be charged to the maintenance account of the water-works.

CHAPTER 28.

DUTIES AND SALARIES.

SECTION 1. The various boards and city officers, who shall in their official capacity receive any money on behalf of the city, whether for payment of fees, for services rendered or otherwise, shall enter, in a book kept for the purpose, a detailed record of all money so received, and the several purposes for which said money was paid, which book shall at all times be open to the inspection of the committee on accounts, and all such boards and city officers having offices in the city hall, shall pay to the treasurer daily all money so received, and all other boards and city officers except the city weighers shall pay over to said treasurer weekly all money so received by them. All such boards and city officers shall, before making such payment, make a true return to the auditor, stating the account upon which said moneys were received. All other persons, who shall at any time have money in their possession belonging to the city, shall forthwith pay the same to the treasurer.

Boards and officers to keep an account of moneys received for city, and pay same to treasurer.

SECT. 2. The city clerk and the treasurer and collector shall annually, on the thirtieth day of November, make to the city council a written detailed statement of all fees and perquisites received by each of them for the year ending with that date. The chief of police shall make a similiar return of the fees and perquisites received by himself and other members of the police force.

City clerk, treasurer and chief of police to report fees.

SECT. 3. All fees, penalties, witness fees, moneys or compensation received by any members of the police force, other than the salary fixed by ordinance, for any services rendered in their official capacity, except moneys or compensation received by them for special services, and except witness fees for testimony in courts without the limits of the city, shall be paid weekly into the city treasury by the officers receiving the same.

Fees received by police to be paid into the treasury.

SECT. 4. The offices hereinafter named shall be open to the public for the transaction of business daily, except on Sundays and legal holidays, and as hereinafter provided, during the following hours : viz.,—

Office hours of sundry officers.

The treasurer's and the auditor's from eight o'clock A. M. to two o'clock P. M.

The city clerk's from eight o'clock A. M. to three o'clock P. M.

The city engineer's from eight o'clock A. M. to five o'clock P. M.

The superintendent of streets from eight o'clock A. M. to four o'clock P. M.

The chief engineer's, from nine to ten o'clock A. M.

The office hours for city employees shall be fixed by the board, or head of department authorized to employ them.

Office hours  
on Saturdays.

SECT. 5. On Saturdays the various offices at the city hall shall be closed at two o'clock in the afternoon; *provided*, however, that, in case of necessity, any office may be left open until a later hour, at the discretion of the head of the department occupying such office, or the board having charge of such department.

Treasurer  
shall appoint  
the clerks in  
his office.  
S. 1891, c. 364,  
§ 34.

SECT. 6. The treasurer and collector shall appoint the clerks in his office and shall be answerable for their conduct in the discharge of their duties. Such appointments shall be forthwith certified to the mayor. Such clerks shall receive such compensation as the committee on finance may, from time to time, determine and they may be removed by the treasurer and collector for such cause as he shall assign in writing in the order of removal, which order shall be forthwith communicated to the mayor. The compensation of all clerks in the several departments of the city, both permanent and temporary, shall be determined by said committee, subject however to change at any time by order of the city council.

Removal of  
clerks.

Compensation  
of clerks.

Non-residents  
not to be  
employed as  
laborers.

SECT. 7. No person who is not a resident of Cambridge shall be employed as a laborer in any department of the city; and in the employment of laborers in any department of the city, preference shall be given to efficient and steady men who have families or minor children dependent upon them for support; *provided*, that no competent and faithful laborer, who is a resident of Cambridge, shall be discharged to make place for another. Nine hours shall constitute a working day for laborers and mechanics in the several city departments,<sup>1</sup> and eight hours for brick layers in the sewer department, for each working day throughout the year.

Working day  
for laborers.  
S. 1890, c. 375.

Boards and  
heads of  
departments  
to control  
appropriations.

Contracts to  
be approved  
by the mayor  
except, etc.  
S. 1891, c. 364,  
§ 35.

SECT. 8. The several boards and heads of departments shall have the general supervision and control of the appropriations made to meet the expenditures of their respective departments; *provided*, that no board or head of department, authorized to purchase materials or supplies, or to contract for labor to be performed, shall have the power to expend more than three hundred dollars for any one specific purpose, whether settlement for the same shall be made in one or more payments, unless it be first approved by the mayor. But nothing in this proviso shall be held to apply to the consumption of water or gas, nor to contracts made with such laborers or other persons as are ordinarily

<sup>1</sup> Amended July 12, 1891.

employed in the various departments, in the performance of the regular work or labor thereof, whether such contracts be by the day, month or year.

SECT. 9. All boards and officers shall be governed in their purchases by the provisions of this chapter.

Purchases to be made in accordance with this chapter.

SECT. 10. All advertisements for proposals and purchases shall be published in one or more papers of the city, not exceeding four, and elsewhere if necessary, and a copy of such advertisement shall be sent to the auditor for preservation.

Advertising, for proposals.

SECT. 11. Whenever advertisements for proposals for any work to be done for the city, or for any materials or supplies to be furnished, are made, the board or officer in charge of the work to be done shall cause suitable plans and specifications, and schedules of materials or supplies, to be prepared and shown to parties proposing to bid.

Plans, etc., to be shown to bidders.

SECT. 12. Every officer and board authorized to purchase, on behalf of the city, materials or supplies, shall advertise for proposals for the same, whenever the cost may reasonably be expected to exceed the sum of three hundred dollars, unless otherwise specially directed by the city council.

To advertise for proposals for purchases of more than \$300.

SECT. 13. Every contract exceeding three hundred dollars for any work to be done for the city, or for any materials or supplies to be furnished the city, shall be accompanied by a suitable bond for the performance of the same, or by the deposit of money or security to the amount of such bond. No proposal shall be accepted from or for any person who shall have broken a contract with the city during the three years preceding. All written contracts shall be executed in triplicate, and one of said copies shall be deposited with the auditor.

Contracts to be accompanied by bond.

SECT. 14. No proposal shall be received from any person offering to contract for such work, unless the same is enclosed in a sealed envelope or wrapper. Such proposals shall be at once placed in a sealed box in the department calling for the proposals, and the clerk of committees shall hold the only key to such box. All proposals shall be opened, read and recorded in the city hall, at the hour and place designated in the advertisement, in the presence of the mayor or such person as he may designate. The contract shall be awarded to the lowest bidder complying with the terms; *provided*, however, if any such proposals shall be offered by persons who, in the judgment of the board, or officer issuing the advertisement, shall be incompetent to preform their contracts in a workmanlike manner, or irresponsible in respect to their means of faithfully executing the same, such proposals may be rejected, notwithstanding the same be at a lower rate than other proposals offered for the same work, and the next higher

Contracts to be in triplicate.

Proposals to be sealed and kept in a sealed box.

Key of the box.

Opening proposals.

Contracts to be awarded to lowest bidder, etc.

bidder shall be substituted; and *provided*, also, in all cases, that the board or officer may reject all bids and issue new advertisements. All bids shall be preserved by the board or officer issuing the advertisement on the records of its department, and shall be open to public inspection after the contract has been awarded, and accepted by the bidder.

Bids to be preserved.

Contracts to be in writing.

SECT. 15. In all cases where the amount of any contract shall exceed the sum of three hundred dollars, the contract shall be in writing; and, after being signed by the parties, no such contract shall be altered, in any particular, without the consent of the contractor, and of the board or officer making the contract, indorsed thereon. And all payments for extra work shall be made at the time of the final payment on such contract.

Extra work on contracts.

Alteration of contract.

SECT. 16. Every contract shall provide that, in case of any alteration, so much of such contract as is not necessarily affected by the change shall remain in force upon all parties thereto. It shall also provide that no payment for work done under such alterations shall be made until the completion of the whole contract, and also that the adjustment and payment of the bill then rendered for such work shall release and discharge the city from any and all claims or liability on account of any work performed under such contract, or any alteration thereof.

Payment on contract.

Contracts for more than one year not to be made.

SECT. 17. No board or officer shall make any contract in behalf of the city the execution of which shall necessarily extend beyond one year from the date thereof, unless special permission so to do has been given by vote of the city council, or of the branch having authority therein, or by the statutes of the commonwealth.

Contracts shall provide for the retention of a sufficient amount to pay mechanics' claims for labor.

SECT. 18. In every contract entered into on behalf of the city, and involving the employment of mechanics or laborers by the contractor, a provision shall be inserted to the effect that the board, or other authority making such contract, may, if it deems it expedient to do so, retain out of any amounts due to such contractor sums sufficient to cover any unpaid claims of mechanics or laborers for work or labor performed under such contract for thirty-five days after the completion of the work under the contract.

Removals of subordinates.

Cause to be recorded.

SECT. 19. Whenever any officer or board in charge of a department shall remove any subordinate, the order of removal and the cause assigned therefor shall be entered in full on the records of the department in which he served. Every such officer and board shall to the best of his ability cause all statutes, ordinances, regulations and orders relating to the duties of his department to be observed and enforced.

Officers and boards not to expend money until appropriated.

SECT. 20. No officer or board in charge of a department shall, unless specially authorized thereto by statute, make any expendi-

ture or incur any liability on behalf of the city for any purpose or object, until an appropriation sufficient to meet such expenditure or liability, together with all other expenditures and liabilities which he or it proposes to make, and which are properly chargeable to the same appropriation, has been made therefor; nor shall he or it exceed any specific appropriation made for his department,<sup>1</sup> nor shall any officer or member of a board, unless thereto authorized by the mayor or city council, apply for, object to, or advocate before the legislature any special act relating to the city of Cambridge.

Expenditure shall not exceed appropriations.

SECT. 21. Every officer and board in charge of a department shall keep records of the acts and doings of the departments, in books kept specially for the purpose. All records and files, shall, under the supervision of the officer in charge of the department, be open to public inspection, and any person may take notes therefrom; but this shall not apply to matters on which final action has not been taken, which the mayor is of opinion should not be made public, or to the records of the proceedings of the various committees kept by the clerk of committees.

Officers and boards shall keep records of acts, etc.

To be open to public inspections, etc.

SECT. 22. Every officer or board in charge of a department issuing a license or permit, shall insert therein a condition that the person accepting the same shall conform to all statutes and ordinances, and also to the specifications in the license or permit; that the license or permit may be revoked at any time by the authority issuing it; that the violation of any of its specifications shall work an immediate revocation of the license or permit; and that such person shall indemnify and save harmless the city from any damage it may sustain, or be required to pay, by reason of the doing of the work licensed or permitted, or by reason of any act or neglect of himself or of any of his employees relating to such work, or by reason of any violation of any specification; *provided* that nothing herein contained shall be construed to prevent the insertion of any other conditions and limitations deemed advisable by the authority issuing such license or permit.

Licenses to contain conditions, etc.

SECT. 23. Every officer and board in charge of a department shall, annually, before the twentieth day of January, send to the mayor an estimate in detail of the appropriations which will be required to enable the department to perform its duties and works during the next financial year, and also an estimate of all income to be received from any source by the department during the said year.

Officers and boards to send estimates for annual appropriations to mayor. S. 1891, c. 364, § 36.

SECT. 24. Every officer required to give a bond to the city shall furnish sureties upon the same, and whenever the mayor shall demand shall furnish a new bond or surety.

Bonds of city officers.

<sup>1</sup> Amended June 6, 1894.

Committee on  
finance.

Appointment  
of.

Duties of.

SECT. 25. There shall be appointed, at the commencement of each municipal year, a committee on finance, consisting of the president and three members of the board of aldermen, the president and five members of the common council.

SECT. 26. The committee on finance shall, at the close of each municipal year, and as much oftener as they deem it expedient, examine and audit the accounts of the treasurer; and for that purpose shall have access to all books and vouchers in his possession, or in possession of the auditor or any other officer of the city. They shall also examine all notes and securities in his hands belonging to the city, and make report thereof to the city council.

Carriages, how  
furnished.

SECT. 27. No carriage shall be furnished at the expense of the city, except upon an order therefor signed by the mayor,<sup>1</sup> president of the board of aldermen, the president of the common council, or the acting chairman of any committee of the city council; and such order shall state the purpose for which the carriage is required, and shall accompany the bill therefor as a voucher.

All boards,  
etc., shall  
report  
annually.  
S. 1891, c. 364,  
§ 18.

SECT. 28. All boards, commissioners, trustees, and officials having charge of city property or the expenditure of appropriations, unless otherwise provided in these revised ordinances, shall report to the city council annually in December.

The report shall contain a statement of receipts and expenditures for the year ending November thirtieth, a schedule of materials, tools and property of all kinds on hand December first, and their estimated value.

Report of the  
superintend  
ent of public  
buildings.

The report of the superintendent of public buildings shall contain a description of all real estate belonging to the city, with the estimated value of each parcel of land and of each building.

2

### *Salaries.*

Salaries of  
certain city  
officers.

SECT. 30. The officers of the city, hereinafter named, shall receive the following salaries, which are annual and to be paid monthly unless otherwise stated :

Mayor . . . . .	\$3,500 00
City treasurer and collector . . . . .	3,000 00
City clerk . . . . .	3,000 00
Assistant city clerk . . . . .	<sup>3</sup> 1,400 00
Clerk of common council . . . . .	300 00
City auditor . . . . .	2,100 00
Assessors, each . . . . .	<sup>4</sup> 2,000 00

<sup>1</sup> Amended Dec. 28, 1892.

<sup>2</sup> Section 29 repealed April 27, 1893.

<sup>3</sup> Repealed March 22, 1893.

<sup>4</sup> Repealed Dec. 19, 1894.



Assistant assessors, each (per day) . . . . .	\$4 00
City engineer . . . . .	3,000 00
Treasurer of commissioners of sinking funds . . . . .	300 00
City solicitor . . . . .	<sup>1</sup> 3,500 00
Clerk of committees . . . . .	2,400 00
Superintendent of streets . . . . .	2,000 00
Chief engineer of fire department . . . . .	<sup>2</sup> 1,800 00
Call district chiefs of fire department, each . . . . .	375 00
<sup>3</sup> Captains of hook and ladder companies :	
First twelve months of service . . . . .	880 00
Second twelve months of service . . . . .	980 00
After two years of service . . . . .	1,080 00
Captains of steam fire-engine companies, each . . . . .	220 00
Lieutenants of steam fire-engine and hook-and-ladder companies, each . . . . .	210 00
<sup>4</sup> Enginemen of steam fire engines :	
First twelve months of service . . . . .	<sup>5</sup> 1,020 00
Second twelve months of service . . . . .	1,100 00
After two years of service . . . . .	1,200 00
<sup>6</sup> Assistant enginemen of steam fire-engines and tillerman of the Hayes truck :	
For first twelve months of service . . . . .	820 00
For second twelve months of service . . . . .	920 00
For third twelve months of service . . . . .	1,020 00
<sup>7</sup> Drivers in Fire Department and enginemen of chemical engines :	
First twelve months of service . . . . .	820 00
Second twelve months of service . . . . .	920 00
After two years of service . . . . .	1,020 00
<sup>8</sup> Call members of the Fire Department :	
Captains . . . . .	245 00
Lieutenants . . . . .	235 00
Members . . . . .	225 00
<sup>9</sup> Permanent lieutenants of hook-and-ladder truck companies in Fire Department :	
For first twelve months of service . . . . .	1,020 .00
For second twelve months of service . . . . .	1,035 00
After two years of service . . . . .	1,050 00

<sup>1</sup> Amended Sept. 4, 1895.

<sup>2</sup> Amended March 6, 1895.

<sup>3</sup> Amended May 24, 1893.

<sup>4</sup> Amended May 24, 1893.

<sup>5</sup> Amended June 13, 1895.

<sup>6</sup> Amended March 28, 1894.

<sup>7</sup> Amended May 24, 1893.

<sup>8</sup> Amended May 23, 1895.

<sup>9</sup> Amended Oct. 19, 1898.

Inspector of wires . . . . .	1,000 00
City messenger . . . . .	1,800 00
Superintendent of lamps . . . . .	1,000 00
<sup>1</sup> Inspector of milk and vinegar . . . . .	900 00
<sup>2</sup> Inspector of provisions and of animals intended for slaughter, etc. . . . .	700 00
<sup>3</sup> Sealer of weights and measures . . . . .	1,000 00
<sup>4</sup> City physician . . . . .	1,500 00
<sup>4</sup> Superintendent of public buildings . . . . .	2,000 00
<sup>5</sup> Commissioner of bridges . . . . .	700 00
<sup>6</sup> Election officers :	
Wardens, clerks and inspectors, for each day's actual service, each, per day . . . . .	8 00
Deputy officers, who shall be in attendance at the opening of the polls, each, per day. . . . .	1 50
Registrars of voters, each . . . . .	500 00
Clerk of the board of registrars of voters . . . . .	100 00

Salaries to be  
in full.

SECT. 31. The above-mentioned salaries shall be in full for all services rendered by such officers in their official capacities.

Compensation  
of janitors.

SECT. 32. Janitors of public buildings other than school-houses shall receive such compensation as may be recommended by the superintendent of public buildings and approved by the city council, or by some committee by it authorized.

Janitors of  
school-houses.

Janitors of school houses shall receive such compensation as may be recommended by the mayor and approved by the city council, or by some committee by it authorized.

<sup>7</sup>SECT. 33. Whenever, by reason of his length of service, the pay of any member of the fire department is to be increased, notice thereof shall be sent to the mayor by the chief engineer, before placing the name of such member upon the pay roll at the increased rate of compensation.

<sup>1</sup> Amended April 27, 1893.

<sup>2</sup> Amended March 30, 1893.

<sup>3</sup> Amended Feb. 21, 1896.

<sup>4</sup> Amended Dec. 30, 1896.

<sup>5</sup> Amended Dec. 28, 1892.

<sup>6</sup> Amended Oct. 16, 1895.

<sup>7</sup> Amended April 6, 1898.

# GENERAL ORDINANCES



CHAPTER 29.

SALE AND DELIVERY OF ICE.<sup>1</sup>

SECTION 1. Every person, firm or corporation before selling or delivering ice in this city after the first day of February, A. D. 1898, shall prior to such sale or delivery register at the office of the board of health the name and location of the body or bodies of water from which said ice so to be sold or delivered has been cut, or from which the water has been taken for its manufacture. Such registration shall be subscribed and sworn to by the person so proposing to sell or cause to be delivered said ice, or in the case of a firm, by one of the members of the firm, or in the case of a corporation by the president, general manager, or one of the board of directors of the corporation.

Sale and delivery of ice.

SECT. 2. Every person, firm or corporation who sells, delivers or causes to be delivered ice in this city after the first day of February, A. D. 1898, shall permit the board of health and its inspectors at all reasonable times to have access to and freely examine the ice intended for such sale or delivery, and shall permit samples to be taken by said board or its inspectors for the purpose of analysis.

Inspection of ice by board of health.

SECT. 3. The board of health shall investigate the sources of supply of ice so sold or delivered and cause inspection and analysis to be made of the ice from said sources. And if upon such investigation, inspection and analysis and upon hearing, it shall deem and adjudge ice derived from any source to be impure and injurious to the public health, it may prohibit the sale or delivery in this city of such ice or of any other ice which has been intermingled with ice from such source. Notice of such prohibition shall be given in the manner provided by law for giving notice of the regulations of the board of health, and such notice shall be deemed legal notice to all persons.

Sources of supply of ice.

SECT. 4. Any person, firm or corporation after the first day of February, A. D. 1898, who shall sell or deliver or cause to be sold or delivered or shall have in his, their or its possession with intent to sell or deliver in this city ice the source of which has not been registered as above provided, or ice the sale and delivery of which has been prohibited and notice thereof given as above provided, or who shall violate any of the provisions of section two of this ordinance, shall be liable to a penalty not exceeding twenty dollars for each offence.

Penalty.

<sup>1</sup> Approved Dec. 29, 1897.

CHAPTER 30.

<sup>1</sup> LICENSES AND PERMITS AND BONDS FOR THE SAME.

Licenses and permits, issuing of.

SECTION 1. All licenses and permits hereinafter issued to any person, persons, firm or corporation, under any ordinance or order of the city council or either branch thereof, 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.

Bond.

SECT. 2. Such licenses and permits shall have no force or validity, until a bond or other satisfactory security 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 amounts as may be satisfactory to the city auditor and approved by the mayor.

Additional sureties to be furnished.

SECT. 3. Additional sureties shall be furnished on all such bonds mentioned in section 2 of this ordinance, as well as on all bonds heretofore given under any ordinance or order of the city council or either branch thereof 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.

Premises to be restored at licensees cost.

SECT. 4. In addition to and as a further condition of the bond so as aforesaid to be given, the person or persons so licensed or permitted, by an agreement satisfactory to the city solicitor, for themselves, their heirs, successors and assigns shall agree to restore at their own expense and cost the premises, concerning which the license or permit was originally given, to the same condition in which the premises were at the time of the granting of such license or permit.

Examination of sureties.

SECT. 5. 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.

Repeal.

SECT. 6. All existing ordinances and parts thereof, in so far as they are inconsistent with this ordinance, are to that extent hereby modified or repealed, otherwise this ordinance shall be in addition to all existing ordinances having reference to the matters herein contained.

<sup>1</sup> Approved July 2, 1896.

## CHAPTER 31.

## CITY SEAL.



<sup>1</sup>SECTION 1. The following shall be the device of the seal of the city, to wit: In the centre thereof a shield bearing upon it a view, on the right the towers of Gore Hall, and on the left the Washington elm; under the shield the inscription shall be, "*Cantabrigia Condita A. D. 1630; Civico Reginine Donata A. D. 1846.*" Around the seal, as the city motto, shall be the words, "*Literis antiquis novis institutis decora.*"

Device.  
P. S. c. 3, § 3.  
cl. 19.

SECT. 2. The city clerk shall be the custodian of the city seal.

Custodian of  
seal.  
P. S. c. 205, § 26.

SECT. 3. This ordinance shall take effect on the first day of January, A. D. 1897.

<sup>1</sup> Amended Dec. 4, 1896.

## CHAPTER 32.

## CITY SCALES AND WEIGHERS.

Public scales  
to be  
established  
and erected.  
P. S. c. 60, § 32.

Weighers to be  
appointed.

Weighers'  
oath.

Duties of  
weigher.  
P. S. c. 60, § 33.

Form of  
certificate.

Weigher to  
keep record.

Fees for  
weighing.  
P. S. c. 60,  
§§ 33, 39.

Weighers to  
keep scales  
clear of snow,  
etc.

Compensation  
of weighers.

SECTION 1. The board of aldermen shall, from time to time, establish as many scales for the weighing of hay and other articles as the public good may require, and cause the same to be erected and furnished with decimal weights, which shall be used in all cases; and the mayor, subject to confirmation by the board of aldermen shall appoint suitable persons to weigh hay and other articles thereon according to law.

SECT. 2. The persons so appointed shall be sworn to the faithful performance of their duties.

SECT. 3. Every such weigher shall be at or near the scales of which he has the charge at all reasonable times, ready to weigh all articles offered for that purpose. He shall deliver to the driver or owner of every load weighed a certificate under his hand, specifying the name of the driver or owner, his place of residence, the name of the article weighed, the weight thereof, and the tare, the date and the fees charged. He shall keep a true account of all articles weighed by him, and record the same in a book kept for the purpose, which shall at all times be open for public inspection, and, when filled, be delivered to the city clerk. The said record shall contain the same particulars that are required to be stated in the certificate described in this section.

SECT. 4. The fees for weighing to be received by the weighers, which they shall pay to the treasurer quarterly, shall be as follows, to wit: One cent and a half for every hundred pounds of hay or straw; one-half of a cent for every hundred pounds of coal, pig iron, ice or sand; and one cent for every hundred pounds of any other article: *provided*, however, that the fees for weighing any article other than hay or straw shall never be less than ten cents; and *provided*, further, that the fees for weighing stone shall be ten cents for a single load, and fifteen cents for a double load. The vehicle containing the same, and other tare, shall be weighed without charge, and no fees shall be taken for weighing done on account of the city.

SECT. 5. It shall be the duty of the weighers to keep the scales under their care clear of snow and ice, so that they shall be in good condition for use at all times, and the sealer of weights and measures shall have the general control and supervision of all such scales.

SECT. 6. Each weigher shall receive as full compensation for his services a sum equal to one-half of the fees received by him.



## CHAPTER 33.

## WARDS.

SECTION 1. The five wards of the city shall be constituted and known as follows: Five wards.

*Ward One.* Beginning at the boundry line between Cambridge and Belmont, on Concord avenue; thence by the centre of Concord avenue to Bond street; thence by the centre of Bond street to Garden street; thence by the centre of Garden street to Shepard street; thence by the centre of Shepard street to North avenue; thence by the centre of North avenue to Sacramento street; thence by the centre of Sacramento street to the boundary line between Cambridge and Somerville; thence by said boundary line to a point which would be met by the central line of Dana street, if extended northerly to said boundry line; thence by a line to Dana street, and by the centre of Dana street to Main street; thence by the centre of Main street to Mount Auburn street; thence by the centre of Mount Auburn street to Putnam avenue; thence by the centre of Putnam avenue to Western avenue; thence by the centre of Western avenue to the boundary line between Cambridge and that part of Boston formerly Brighton; thence by said boundary line to the boundary line between Cambridge and Watertown; thence by the last-mentioned boundary line to the boundary line between Cambridge and Belmont; thence by the last-mentioned boundary line to the point begun at.

Boundaries of the several wards. See S. 1886, c. 283, and S. 1891, c. 364, § 3.

Ward I.

*Ward Two.* Beginning at the boundary line between Cambridge and Somerville, at a point which would be met by the central line of Dana street, if extended northerly to said boundary line; thence by a line to Dana street, and by the centre of Dana street to Main street; thence through the centre of Main street to Norfolk street; thence by the centre of Norfolk street to Washington street; thence by the centre of Washington street to the junction of Washington and Main streets; thence by a line at a right angle southerly to the water; thence by the water to the mouth of Broad canal; thence by the centre of Broad canal to North canal; thence by the centre of North canal, and northerly, in a line continued therefrom, to the boundary line between Cambridge and Somerville; thence by said boundary line to the point begun at.

Ward II.

*Ward Three.* Beginning at the water, at the mouth of Broad canal; thence by the centre of Broad canal to North canal; Ward III.

thence by the centre of North canal and northerly, in a line continued therefrom, to the boundary line between Cambridge and Somerville; thence by said boundary line to the waters of Charles River; thence by the water to the point begun at.

Ward IV.

*Ward Four.* Beginning at the boundary line between Cambridge and that part of Boston formerly Brighton, on Western avenue; thence through the centre of Western avenue to Putnam avenue; thence through the centre of Putnam avenue to Mount Auburn street; thence through the centre of Mount Auburn street to Main street; thence through the centre of Main street to Norfolk street; thence through the centre of Norfolk street to Washington street; thence through the centre of Washington street to the junction of Washington and Main streets; thence by a line at a right angle southerly to the water; thence by the water to the point begun at.

Ward V.

*Ward Five.* Beginning at the boundary line between Cambridge and Belmont, on Concord avenue; thence by the centre of Concord avenue to Bond street; thence by the centre of Bond street to Garden street; thence by the centre of Garden street to Shepard street; thence by the centre of Shepard street to North avenue; thence by the centre of North avenue to Sacramento street; thence by the centre of Sacramento street to the boundary line between Cambridge and Somerville; thence by said boundary line to the boundary line between Cambridge and Arlington; thence by the said last-mentioned boundary line and the boundary line between Cambridge and Belmont to the point begun at.

Number of  
members of  
the common  
council to be  
elected by each  
ward.  
S. 1891, c. 364,  
§ 3.

SECT. 2. The ward herein designated as ward one shall elect four members of the common council; the ward designated as ward two shall elect five members of the common council; the ward designated as ward three shall elect four members of the common council; the ward designated as ward four shall elect five members of the common council; the ward designated as ward five shall elect two members of the common council.

CHAPTER 34.

WARRANTS AND ELECTIONS.

SECTION 1. The form of warrants for calling meetings of the citizens of the several wards within their respective voting precincts, shall be as follows, to wit: —

Warrants. S. 1891, c. 364. § 5.

City of Cambridge.

To either constable of the city of Cambridge, Greeting: In the name of the Commonwealth of Massachusetts, you are hereby commanded forthwith to warn the inhabitants of Ward No. , Precinct No. , in said city, qualified as the law directs, to assemble at the polling place in said precinct, on the day of , at o'clock in the noon, then and there to give in their ballots for .

Form of warrants.

Hereof fail not, and make due return of this warrant with your doings thereon to the city clerk five days at least before the said day of meeting.

Witness , Esquire, president of the board of aldermen of our city of Cambridge, the day of , in the year one thousand eight hundred and By order of the board of aldermen,

Approved,

City Clerk.

Mayor.

SECT. 2. All warrants for calling meetings of the citizens of the several wards within their respective voting precincts shall be issued by the board of aldermen and signed by the city clerk. shall be served by a constable of the city, and by him returned to the city clerk five days at least before the time of meeting therein specified.

Warrants, how issued, and by whom served and returned. P. S. c. 27, § 119.

SECT. 3. Every such warrant for calling meetings of the citizens of the several wards within their respective voting precincts, shall be served by posting an attested copy thereof at or near the polling place in the voting precinct named in the warrant, seven days at least before the time of meeting.

Service of warrants.

SECT. 4. The board of aldermen shall fix the times for opening and closing the polls, at meetings held for the election of all officers, and shall state the same in the warrants for calling the meetings.

Time of opening and closing polls to be fixed and inserted in warrants. S. 1890, c. 423. S. 1891, c. 314.

Form of warrants for general meetings.

How served and returned.

Proceedings at general meetings.

SECT. 5. All warrants for calling general meetings of the inhabitants of the city shall be substantially in the form prescribed in the first section, except that such meetings shall be held at such place in the city as the board of aldermen shall direct. They shall be served by a constable of the city, by posting one copy thereof in each of the several voting precincts, not less than seven days before the time of meeting, and be returned to the board of aldermen.

SECT. 6. The city clerk shall attend all general meetings of the citizens which may be held by virtue of warrants issued by the board of aldermen; shall open such meetings by reading the warrant therefor; and shall continue to preside thereat until a moderator is chosen. He shall keep, in a separate book, a record of the proceedings of such meetings, and shall insert in the record copies of all reports or other documents upon which said proceedings have been founded.

CHAPTER 35.

BRIDGE CHARITABLE FUND.

SECTION 1. The fund given to the city by the late Levi Bridge shall be called the Bridge Charitable Fund; and the income therefrom shall be applied in accordance with the provisions of his deed of trust. Name of fund.  
How to be applied.

SECT. 2. The mayor, the president of the board of aldermen, and the president of the common council, shall be the trustees of said fund. Trustees, of whom to consist.

SECT. 3. Said trustees shall have the care and management of said fund, and shall keep the same invested in such manner as they deem expedient. Care of fund.

SECT. 4. The mayor shall be, *ex officio*, chairman of the board of trustees; and the trustees shall keep a record of their doings, and, at the close of each financial year, make a report thereof to the city council. Annual report.

## CHAPTER 36.

## SANDERS TEMPERANCE FUND.

- Name of fund.**      SECTION 1. The fund of ten thousand dollars, given to the city by the will of the late Charles Sanders, shall be called the Sanders Temperance Fund.
- Trustees.**          SECT. 2. The mayor, the president of the board of aldermen and the president of the common council, shall be the trustees of said fund.
- Duties of trustees.**      SECT. 3. Said trustees shall have the care and management of said fund, and shall keep the same invested in notes of the city, with interest payable quarterly, at six per cent., to the order of the trustees; and they shall appoint an agent to be employed in the manner provided in the will of the donor of this fund, who shall receive his salary in equal quarterly payments from the trustees, and shall hold his office at their pleasure.
- Shall appoint an agent.**
- Chairman of board.**      SECT. 4. The mayor shall be, *ex officio*, chairman of the board of trustees, and they shall keep a record of their doings, and annually, at the close of each financial year, make a report thereof to the city council.
- Annual report.**

## CHAPTER 37.

## TRUANTS.

<sup>1</sup>SECTION 1. Any minor, between the ages of seven and fifteen Truants, etc.  
years, convicted of being an habitual truant, or wandering about  
in the streets or public places of Cambridge, having no lawful  
occupation or business, not attending school, and growing up in  
ignorance, and such children as persistently violate the reasonable  
rules and regulations of the public schools, shall be committed to  
the Middlesex Truant School for a term not exceeding two years.  
The Middlesex County Truant School is the place provided for  
the confinement, discipline, and instruction of such children.

<sup>1</sup> Amended Dec. 19, 1894.

## CHAPTER 38.

## WORKHOUSE.

Workhouse established for employment and support of various classes.  
P. S. c. 33, § 1.

SECTION 1. There shall be established in the city of Cambridge a workhouse for the employment and support of the following description of persons, that is to say, poor and indigent persons that are maintained by, or receive alms from, the city; persons who, being able of body to work, and not having estate or means otherwise to maintain themselves, refuse or neglect to work; persons who live a dissolute, vagrant life, and exercise no ordinary calling or lawful business; and persons who spend their time and property in public houses, to the neglect of their proper business, or who, by otherwise misspending what they earn, to the impoverishment of themselves and their families, are likely to become chargeable to the city.

Almshouse to be the workhouse.

SECT. 2. The present almshouse is hereby constituted and declared the workhouse of the city, as set forth in the first section of this chapter.



## CHAPTER 39.

## DOGS.

SECTION 1. No person shall own or keep in the city any dog which by barking, biting, howling or in any other manner, disturbs the quiet of any person. Whoever violates this provision shall be liable to a penalty not exceeding ten dollars. P. S. C. 102, §§ 109, 110.

## CHAPTER 40.

## SHUT-OFFS IN GAS SUPPLY PIPES.

Gas furnished  
any public  
building.

Whenever gas is furnished to any public building hereafter constructed and used as a church, public school, or public hall, or as an apartment or tenement house containing four or more suites of rooms, or as a manufactory when supplied by service pipe of not less than one inch in diameter, there shall be placed a proper shut-off in the supply pipe outside of such building, the expense thereof to be borne by the person or company supplying the gas.

CHAPTER 41.

GUNPOWDER AND EXPLOSIVE COMPOUNDS.

SECTION 1. No gunpowder shall be kept within the city, unless it is well secured in tight casks or canisters, and no person shall store or keep for sale gunpowder or any other explosive compound in any building other than described in section seven of this ordinance.

Gunpowder, how to be kept. P. S. c. 112, § 56.

SECT. 2. No gunpowder above the quantity of fifty pounds shall be kept or deposited in any shop, store or other building, or in a ship or vessel, which is within the distance of twenty-five rods from any other building or from a wharf.

Above fifty pounds not to be kept within twenty-five rods, etc. P. S. c. 102, § 6.

SECT. 3. No gunpowder above the quantity of twenty-five pounds shall be kept or deposited in any shop, store or other building within ten rods of any other building.

Above twenty-five pounds not to be kept within ten rods, etc. P. S. c. 102, § 6.

SECT. 4. No gunpowder above the quantity of one pound shall be kept or deposited in any shop, store or other building within ten rods of any other building, unless the same be well secured in copper, tin or brass canisters, holding not exceeding five pounds each, and closely covered with copper, tin or brass covers, according to the fifty-sixth section of the one hundred and second chapter of the Public Statutes.

Above one pound not to be kept within ten rods, etc., unless, etc. P. S. c. 102, § 56.

SECT. 5. No gunpowder exceeding the quantity of one hundred pounds shall be conveyed through the city, unless the same be enclosed in tight casks, boxes or canisters, that shall prevent the escape of any particle of their contents, and conveyed in a vehicle closely and entirely covered with leather or painted canvas, the bottom and sides of which vehicle shall be lined with leather, or felt, or some other soft substance, so as to prevent friction; nor shall any two or more vehicles, containing gunpowder in any quantity, be allowed within sixty rods of each other; nor shall any vehicle containing gunpowder be allowed to remain in the city over night, nor to stand more than ten minutes within two hundred yards of any dwelling-house; nor shall any team conveying gunpowder be driven at a speed greater than a walk.

Above one hundred pounds not to be conveyed through city, unless, etc. P. S. c. 102, § 60.

Vehicles containing gunpowder.

SECT. 6. Every vehicle, for the conveying of gunpowder in or through the city, shall be subject, at all times, to the inspection of the mayor, any alderman, police officer, or engineer of the fire department.

Inspection of vehicles containing gunpowder. P. S. c. 102, § 60.

SECT. 7. All persons who shall store or keep for sale gunpowder or any other explosive compound above the quantity of

Persons  
keeping  
explosive  
compounds in  
any building  
shall notify  
chief engineer  
of fire  
department.  
S. 1882, c. 269.

one pound in any building shall, immediately on the receipt of such gunpowder or other explosive compound, deliver to the chief engineer of the fire department a statement in writing of the amount of such gunpowder or other explosive compound kept or proposed to be kept, together with an accurate description of the building and of the room or rooms of the building in which the same is kept, or is proposed to be kept.



CHAPTER 42.

JUNK, OLD METALS AND SECOND-HAND ARTICLES.

SECTION 1. No person, corporation, member of a co-partnership or firm shall be a dealer in or keeper of a shop for the purchase, sale or barter of junk, old metals or second-hand articles, or collect or be a dealer in rags in this city unless duly licensed therefor by the board of aldermen, and unless such person, corporation, co-partnership or firm complies with all lawful ordinances and laws now and hereafter enacted and passed in reference and applicable to junk, old metals and second-hand articles.

Dealers in junk, etc., to be licensed.

SECT. 2. Each license issued to such dealers in junk, old metals and second-hand articles and collector and dealer in rags shall set forth the name of the party licensed, the nature of the business, and the building or place in which it is carried on, and shall continue in force until the first day of May next ensuing, unless sooner revoked. The place of business shall not be changed during the continuance of the license except by special consent of the board of aldermen to removal is obtained. The fee for such license shall be two dollars. No such license shall be transferable.

Form of license.

Fee.

SECT. 3. Every such dealer in or keeper of a shop for the purchase, sale or barter of junk, old metals, or second-hand articles, shall keep a book in which shall be legibly written in the English language at the time of every purchase of any such article, a description thereof, the name, age and residence, giving street and number, when possible, of the person from whom and the day and hour when such purchase was made. No entry in such book shall be changed, erased, obliterated or defaced. Such book, any such shop and all articles of merchandise therein shall at all times be open to the inspection of the mayor and aldermen, or either of them, and of any person by them or either of them respectively authorized in writing to make such inspection upon exhibiting such written authority to such dealer or keeper.

To keep record of purchases, etc.

SECT. 4. Every keeper of such shop as is mentioned in the preceding section 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.

To put signs on shops.

1 Amended Dec. 28, 1898.

Not to make purchases, etc., from minors, etc.

SECT. 5. No keeper of such shop shall, directly or indirectly, either purchase or receive by way of barter or exchange any junk, rags, old metals or second-hand articles of a minor or apprentice, knowing or having reason to believe him to be such, without the consent in writing of the parent or guardian of such minor or master of such apprentice.

Not to sell articles within one week.

SECT. 6. No article purchased or received by any such dealer or keeper of such shop shall be sold until a period of at least one week from the date of its purchase or receipt has elapsed.

Hours when shops may be kept open.

SECT. 7. No keeper of any such shop shall have his shop open for the transaction of business nor shall he purchase or sell or barter any junk, old metals or second-hand articles except between sunrise and ten o'clock in the evening of any week day.

Vehicles shall be subject to inspection, etc.

SECT. 8. Every vehicle used in the collection of junk, old metals, rags or second-hand articles shall be at all times subject to the inspection of the mayor or board of aldermen, or either of them, or of any person by them or either of them respectively authorized in writing to make such an inspection upon exhibiting such written authority to the person driving or having charge of such vehicle. Every such vehicle shall have the name of the owner and the number of his license placed upon the outside of each side of his vehicle, in plain, legible letters and figures of not less than one and one-half inches in height, and so that the same may be distinctly seen.

Revocation of license.

SECT. 9. A violation of any provision of this or any subsequent ordinance that may be passed in the premises shall of itself be sufficient cause and reason to revoke any such license. The board of aldermen reserves the right at any time for any other cause sufficient to them to revoke any such license.

Penalty.

SECT. 10. Whoever not being so licensed keeps such shop or is such collector, dealer or being licensed keeps such shop or is such dealer in any other place or manner than that designated in the license shall forfeit twenty dollars for each offence; and whoever violates any provision of this ordinance or any rule, regulation or restriction contained in his license, shall forfeit a sum not exceeding twenty dollars for each offence.

CHAPTER 43.

PETROLEUM.

SECTION 1. Any person desiring to manufacture, refine, mix, store, or keep for sale any oil or fluid, composed wholly or in part of any of the products of petroleum, in any place, except as provided in the seventy-second section of chapter one hundred and two of the public statutes, shall apply in writing for a license therefor, to the board of aldermen; and shall state in his application the place, building, or part of a building, for which he desires a license, and whether he desires a license for manufacturing, refining and mixing said articles, or any of them, or a license for storing or keeping them, or both. Such application shall be referred to the chief engineer of the fire department, who shall, within one week from the time of such reference, examine, or cause to be examined by one of the call district chiefs, the place or building described in such application, and report in writing to the board of aldermen his opinion of the propriety of granting the license: but this section shall not apply to quantities not exceeding fifty gallons kept by families for their private use, nor to quantities not exceeding one hundred gallons kept in manufactories for use on the premises.

License for manufacture and storage of petroleum to be obtained of board of aldermen. P. S. c. 102, §§ 73, 75.

SECT. 2. No license shall be granted for manufacturing, refining, mixing, storing or keeping said articles, or any of them, upon any alley, sidewalk, street or wharf, nor upon any floor of a building above the first floor.

No license to be granted for certain places.

SECT. 3. No license shall be granted for mixing, storing or keeping crude petroleum, naphtha, or gasoline, in any part of a building above the cellar, unless said articles are contained in metallic vessels securely closed.

Petroleum to be kept in metallic vessels in certain cases.

SECT. 4. No license shall be granted for, and no person shall sell or keep for sale at retail, for illuminating purposes, refined petroleum, or any product of petroleum, unless the same has been inspected and approved by an inspector duly authorized by some city or town in this Commonwealth.

No license to be granted unless inspected. S. 1885, c. 122.

SECT. 5. Except as hereinbefore provided, licenses may be granted for manufacturing, refining, mixing, storing and keeping said articles, or any of them, in cellars, or upon the first floor of buildings, or in other suitable localities, in such quantities over one hundred gallons, and in such a manner as the board of aldermen may determine, except that no license shall be granted for

Licenses may be granted under certain restrictions.

manufacturing, refining, mixing, storing or keeping said articles, or any of them, upon the first floor of any building in a greater quantity than four hundred gallons, unless the same be contained in metallic vessels securely closed, or the foundations and walls of said building be of brick, stone or iron, and the sills or walls of said building be built without apertures for a space of at least one foot above the floor.

License to express certain facts, etc.

SECT. 6. There shall be expressed in said license the name of the person to whom the license is granted, and whether he is permitted to manufacture, refine and mix said articles, or any of them, or to store or keep them, or both; and a description of the place, building or part of a building licensed, and any limitations upon the quantity of said articles, or any of them, which may be manufactured, refined, mixed, stored or kept therein, or upon the manner of manufacturing, refining, mixing, storing or keeping the same, which the board of aldermen may in each case see fit to impose; and any person so licensed may manufacture, refine, mix, store or keep said articles, or any of them, according to the terms of his license, either on his own account or on account of any other person.

Premises to be open to the inspection of certain officers.

SECT. 7. Any person holding such a license shall allow the chief engineer of the fire department, or any of the call district chiefs, or any inspector appointed by the board of aldermen, to enter the premises described in the license, and take such samples of oils, and make such examinations of the premises, as said engineers or inspectors deem expedient. Any violation of the terms of said license shall work a revocation of the same, and the board of aldermen may revoke such license at any time.

Violation.

Chief engineer to make complaints and bring suits.

SECT. 8. The chief engineer of the fire department shall make complaint to the third district court of Eastern Middlesex of all violations of the provisions of section seven of chapter fifty-nine or of sections sixty-nine to seventy-five, inclusive, of chapter one hundred and two of the public statutes, and bring suits in the name of the mayor of the city against all persons who manufacture, refine, mix, store or keep for sale any oil or fluid, composed wholly or in part of the products of petroleum, without the license required by this chapter.



CHAPTER 44.

UNDERTAKERS.

SECTION 1. Annually, in the month of January, or within sixty days thereafter, the mayor, subject to confirmation by the board of aldermen, shall appoint a suitable number of undertakers, who shall hold office for one year from the first Monday in February in the year of their appointment, unless sooner removed. No person, except such undertaker, or one appointed by him acting in his place, shall bury or remove the body of any deceased person, or undertake the management of any funeral.

Undertakers,  
appointment  
of  
P. S. c. 32, § 6.

SECT. 2. Whenever any person dies within the limits of the city, the nearest relative, or the person in whose house the death occurred, or any other person who has first become informed of the event, shall cause the same to be made known to an undertaker as soon as practicable. Any undertaker informed of the decease of any person within the limits of his district, shall take the personal charge of all necessary arrangements for the removal and burial of the body of the deceased, and shall be responsible for the decent, orderly and faithful management of the funeral undertaken by him, and for a strict compliance with the ordinances of the city in this behalf.

No other  
person to bury  
or remove  
dead body.

Notice of death  
to be given to  
an undertaker.

SECT. 3. Each undertaker may employ porters of a discreet and sober character to assist him, and he shall be accountable for their conduct. Said undertakers and porters may be removed at the pleasure of the mayor and aldermen. No person not appointed as aforesaid shall open any tomb or grave for the purpose of depositing or removing a dead body, without the permission of the board of health.

Duties of  
undertakers.  
P. S. c. 207,  
§ 24.

Undertakers  
may employ  
porters.

Opening of  
graves.

SECT. 4. For services rendered in accordance with the provisions of this chapter, an undertaker shall be entitled to receive the following fees, and no more, to wit: —

Fees of  
undertakers.

For a hearse with one horse, five dollars.

For a hearse with two horses, six dollars.

For services of himself and of his assistants at the house, and in carrying the body from the house to the grave or tomb, — for a person twelve years of age and upwards, four dollars; for a person less than twelve years of age, two dollars and fifty cents.

For carrying a body out of the city, he shall be allowed, in addition, fifty cents for every mile which he shall carry the same beyond the limits of the city.

The foregoing table of fees shall be printed upon the license issued to an undertaker.

Fees for  
returning  
deaths.  
P. S. c. 32, § 4.

The compensation required by law to be paid for obtaining and returning the information required by statute concerning persons deceased, shall be understood as included in the foregoing fees.

CHAPTER 45.

GENERAL REGULATIONS FOR STREETS, COMMONS, RESERVOIRS,  
AND OTHER PUBLIC PLACES.

*Streets.*

SECTION 1. No person shall remain for a longer time than twenty minutes upon a sidewalk in such a manner as to obstruct the free passage of foot travellers, or upon any dooirstep, portico, or other projection from any building, to the annoyance or disturbance of any person, nor shall any person habitually loiter and remain upon a sidewalk in said manner, after having been within three months previously requested by a police officer to cease so doing, nor shall any person remain on a sidewalk in said manner for more than five minutes after being requested by a police officer to move on.

P. S. c. 27, § 15.  
P. S. c. 3, § 3,  
cl. 15.

Remaining on sidewalk so as to obstruct travel forbidden; penalty.

SECT. 2. No person shall climb a tree in any street, or fasten or tie a horse or other animal to, or post a bill upon, any such tree, or allow any horse or other animal owned by him, or under his control to stand so near any such tree, that such tree may be gnawed or otherwise injured by such horse or other animal so allowed to stand, and no person shall place a sign upon or around any tree on any street of the city.

Climbing trees, posting bills on trees, and tying horses to trees forbidden.  
P. S. c. 54,  
§§ 7, 8.

SECT. 3. No owner or person having the care of any domestic fowls, or any goats, sheep, swine, horses, oxen, cows, or other grazing animals, shall permit or suffer the same to go at large, or to graze on any street; <sup>1</sup>and no person shall publicly exhibit any animal in the streets or public places of the city except in accordance with a permit from the superintendent of the streets or a license from the board of aldermen.

Grazing animals, etc., feeding and going at large, forbidden.  
P. S. c. 53, § 10.

SECT. 4. No person having the care or use of a horse or other beast of burden, carriage, or draught, shall ride, drive or permit such horse or other beast to go at a greater rate of speed than eight miles an hour in any street.

Fast driving prohibited; penalty.  
P. S. c. 53, § 13.

SECT. 5. No person shall stop his team or carriage, or unnecessarily place any other obstruction, on any flagging-stones or other footways laid in or across any street, nor suffer his wagon or other vehicle to remain an unnecessary length of time in any street.

Teams not to stop on flagging stones.

SECT. 6. No person shall, by any noise, gestures, words or other means, wantonly and designedly frighten or drive any horse in any street.

Frightening horses forbidden.

<sup>1</sup> Amended June 30, 1893.

Carriages and horses not to be cleaned in streets, etc.

SECT. 7. The owners and occupants of stables shall not wash or clean carriages or horses in the streets, or cause them to be there washed or cleaned, nor shall they otherwise encumber the streets.

Gaming, or exposing gaming devices forbidden.

SECT. 8. No person shall expose, in or upon any street, public ground or common, any table or device of any kind, by or upon which any game of hazard or chance can be played; nor shall any person play any such game at such table or device, in or upon any street, public ground or common.

No tables, stalls, etc., in street without permission.

SECT. 9. No person shall place or keep any table, stall, booth or other erection, in any street, public place or any sidewalk, for the sale of fruit or other things, without permission from the mayor.

Discharge of fire-arms forbidden.

SECT. 10. No person shall, except in the performance of some legal duty, discharge any gun, pistol or other fire-arm, within the city limits.

No bonfires allowed.  
P. S. c. 206, § 12.

SECT. 11. No person shall make a bonfire in any street.

Injuring guide-boards, lamp-posts and trees forbidden.  
See P. S. c. 203, § 76.

SECT. 12. No person shall injure, deface or destroy any guide-post or guide-board, any lamp-post, or lamp or lantern thereon; or any tree, building, fence, post or other thing, set, erected or made for the use or ornament of the city.

Defacing property forbidden.

SECT. 13. No person shall paint or draw any words or figures, or post any written or printed matter, upon the property of any private person or corporation, without the consent of the owner or occupant thereof, nor upon any property of the city, without the consent of the mayor.

Also playing ball, throwing stones, etc.

SECT. 14. No person shall play ball, or throw a stone, or a snow ball, or other missile in any street, or upon or from any bridge.

Also using bow and arrow.

SECT. 15. No person shall shoot with or use a bow and arrow or air-gun in a street, or upon or from any bridge.

Also coasting, except, etc.  
P. S. c. 33, § 15.

<sup>1</sup>SECT. 16. No person shall coast upon a sled on any street of this city without the written permission of the mayor; and without such written permission no person, in any public street or square of this city, shall ride a bicycle or tricycle at a rate of speed exceeding ten miles an hour, and only for the time, and upon such portions of the public ways, streets; or squares aforesaid as may be specified in said permit. Such reasonable conditions shall be attached to such permits as the mayor may deem proper, and in accord with the circumstances and for the occasion for which the permits may respectively be granted. Between the hours of eight o'clock in the morning and five o'clock in the afternoon, children under the age of fourteen years may use velocipedes on any sidewalk in any public way,

Riding bicycle and tricycle.

Use of velocipedes.

street, or square of this city. In no part of any public grounds, commons, enclosures, and parks, now or that hereafter may be under the general charge of the park commissioners, shall children use a velocipede without the written permit of the park commissioners.

SECT. 17. No person in a nude state shall swim or bathe in any of the waters within or surrounding the city, so as to be exposed to the view of passengers or other persons in any street or house within the city.

Also bathing in view of spectators.

SECT. 18. No person shall shake or otherwise clean a carpet in any street.

Also cleaning carpets.

SECT. 19. No person shall have in his possession a club or bludgeon, on any street, with intent to use the same in a sport, sham-fight or strife, or to intimidate any person or horse.

Possession of clubs, etc., forbidden.

SECT. 20. No person shall have in his possession a toy-pistol, crotch, rubber sling, or other device for throwing missiles of any kind, with intent to use the same to the injury of persons or property, or to the annoyance or discomfort of any person, upon any street.

Also toy pistols, rubber slings, etc S. 1882, c 272.

SECT. 21. No person shall behave himself in a rude or disorderly manner, or use any indecent, profane or insulting language, in any street or public place.

Also disorderly conduct on street.

SECT. 22. No person shall place in any drinking fountain, trough, or basin of water, set up or established in any street in the city, for the use of man or beast, any dirt, stone, ashes, rubbish, offal, filth or any other foreign matter,<sup>1</sup> or unnecessarily waste or use the water thereof.

No dirt, etc., to be placed in any drinking fountain, etc.

SECT. 23. No person shall light or extinguish, without authority, any public lamp in any street.

Lighting, etc., street lamps without authority forbidden.

SECT. 24. No person shall, without authority from the mayor, place or carry, or cause to be placed or carried, on a sidewalk, a show-board, placard, or sign for the purpose of there displaying or attracting attention to the same.

Show-boards, etc., not to be carried on sidewalk.

SECT. 25. No person shall drive, <sup>2</sup> ride, wheel, or draw any coach, cart or other carriage, or permit any horse, cattle, swine or sheep, under his care, to go upon any sidewalk, except for the purpose of crossing as nearly as may be at right angles to such sidewalk in order to go into or out of some adjoining enclosure; *provided*, that this section shall not apply to children's carriages or sleds containing children and drawn by hand; nor shall he otherwise occupy, obstruct, injure, or encumber any such sidewalk so as to interfere with the convenient use of the same by travellers.

Vehicles, horses, etc., prohibited on sidewalks. P. S. c 53, § 15.

<sup>1</sup> Amended June 29, 1899.

<sup>2</sup> Amended Sept. 21, 1893.

Obstruction of sidewalks by lumber, boxes, etc.

SECT. 26. No person shall place, or cause to be placed, upon any sidewalk, any lumber, iron, coal, trunk, bale, box, crate, cask, package, article or thing whatsoever, whether of the same description or not, so as to obstruct a free passage for travellers for more than fifteen minutes.

Tipping over of ash-barrels, etc., forbidden.

No person shall wilfully and maliciously tip over and spill out the contents of any box or barrel containing ashes or other house dirt set upon the sidewalk. No person shall throw or place upon any sidewalk or cross-walk any banana skin, orange peel or other slippery substance.

#### *Bridges.*

Bridges, regulations concerning.

SECT. 27. No person shall deface or injure any public bridge or any wharf connected therewith, or unnecessarily open the draw of any such bridge, or obstruct the passage of the same; nor shall any person, without the consent of the draw-tender, make fast to any public bridge, or draw, or guard, or pier thereof, any vessel, scow, raft, or float, or remain inside of the draw-gates, or on any pier, wharf, fender, or appurtenance of such draw while such gates are closed; nor shall any person, having under his charge a vessel passing through the draw of any such bridge, refuse or neglect to comply with the directions of a draw-tender relating to such passing.

#### *Commons and Public Grounds.*

Trees, climbing, tying animals to, and posting bills on, forbidden.

SECT. 28. No person shall climb a tree on any common or other public ground, nor tie a horse or other animal to, nor post a bill, nor place a sign upon or around any tree on any common or other public ground of the city.

Horses not allowed on, except, etc.

SECT. 29. No person, except by permission of the mayor, shall ride, lead, or drive a horse, in or upon the commons or other public grounds, except that on occasion of a military exercise, parade or review, horses necessary for the purposes thereof may be allowed upon any common, or other public grounds, used for such exercise, parade or review.

Grazing animals not allowed on.

SECT. 30. No owner or keeper of a horse or other grazing animal shall suffer the same to go at large or feed upon any common or other public grounds.

Turf, etc., not to be dug, etc.

SECT. 31. No person, except by permission of the mayor, and for some public use, shall dig or carry away any sward, gravel, sand, turf, or earth from, nor carry or caused to be carried upon any common or other public grounds, any carcass, ordure, filth, dirt, stones or any offensive matter whatever, or throw or place thereon any stones, sand, gravel, tan, earth, rubbish or other substance.

Filth, dirt, etc., not to be placed on.

SECT. 32. No person shall carry or cause to be carried upon any common or other public grounds, a wheelbarrow, handcart,<sup>1</sup> or other vehicle, for the conveyance of burdens, or for pleasure, except children's carriages.

Wheelbarrows, etc., not allowed on.

SECT. 33. No person shall shake or otherwise clean a carpet on any common or other public grounds; and no person shall commit a nuisance thereon; <sup>2</sup> and no person other than an employee of the city engaged in its work shall pick over or otherwise disturb any refuse material, house dirt, or ashes set out in the streets or sidewalks for collection by the city, or deposited by the city on any dumping-place, except in accordance with a permit from the board of health.

Cleaning carpets forbidden.

SECT. 34. No person, except by permission of the mayor, shall engage in a game of ball, boot-ball, or base-ball, or other athletic sports upon any common, or other public grounds, except upon such portions thereof as may be set apart for such purposes.

Athletic sports not allowed, except, etc.

SECT. 35. No person, except by permission of the mayor, shall deliver a sermon, lecture, address, or discourse on any common or other public grounds.

Nor public speaking.

SECT. 36. No person, except by permission of the mayor, shall expose for sale or sell any goods, wares or merchandise on any common or other public grounds, nor erect nor maintain a booth, stand, tent or apparatus of any kind, for purposes of amusement or show thereon.

Nor sales of goods, etc., nor booths, tents, etc.

SECT. 37. No person shall pull up, break, cut or deface any of the seats, fences, or railing upon or around any common or other public grounds, nor deface any monument or statue on any common, nor interfere with any of the hydrants upon any common or other public ground.

Injury to seats, fences, etc., forbidden.

SECT. 38. No person shall walk, stand, sit, or lie down in or upon, or pull a flower or plant out of a flower-bed on any common or other public grounds, nor suffer a dog or other animal belonging to him, or in his charge, to stand or walk upon such flower-bed.

Walking, etc., on flower-beds forbidden.

SECT. 39. No person shall walk, stand, or lie upon the grass upon any common or other public grounds where such walking, standing or lying has been prohibited, and notice of such prohibition given to the public by legible notices placed on such common or public ground.

Also walking, etc., on grass.

SECT. 40. No person shall throw a stone, snowball or other missile on any common or public grounds.

Also throwing missiles, etc.

SECT. 41. Whoever violates any provision of the preceding sections of this chapter shall be liable to a penalty of not more than twenty dollars for each offence.

Penalty.

<sup>1</sup> Amended Dec. 5, 1894.  
<sup>2</sup> Amended June 30, 1893.

*Reservoirs for Water Supply.*

Fishing,  
swimming,  
bathing, etc.,  
forbidden.  
P. S. c. 27, § 18.

SECT. 42. Fresh Pond is hereby constituted a reservoir, storage basin and water supply for the use of the city. No person shall fish, or swim, or bathe, or permit any animal under his control to swim or bathe in Fresh Pond, or other reservoir of the water-works, or enter into the waters thereof, or place or use a boat in the same, or throw dirt, rubbish, filth, offensive or other foreign matter, or commit a nuisance therein, or on the land and driveways of the city connected therewith and appurtenant thereto.<sup>1</sup> *Provided*, however, that the water board may permit fishing in Fresh Pond Reservoir between the hours of four and eight o'clock A. M., under such rules and restrictions as it may establish from time to time, to control the same.

Going upon  
the ice, etc.  
forbidden.

Skating  
permitted.

SECT. 43. No person shall go upon the ice of Fresh Pond, or any other reservoir of the water-works, or place or use a sled, ice-boat, sleigh or vehicle thereon: *provided*, that skating shall be permitted during the daytime on those parts of Fresh Pond where the ice is of sufficient thickness for safety, under such regulations as the water board may prescribe to prevent loss of life.

Heavy  
teaming  
forbidden on  
driveway.

SECT. 44. No person shall drive a team, cart, wagon or other vehicle, for the conveyance of burdens, upon the land and driveway connected with, and appurtenant to, Fresh Pond.

Also funeral  
processions.

SECT. 45. No person shall drive or conduct a funeral, or a hearse or carriage connected with a funeral, on the driveway of Fresh Pond.

Also fast  
driving.

SECT. 46. No owner or other person having for the time being the charge or use of a horse or other animal, shall drive or permit such horse or other animal to go at a greater rate of speed than eight miles an hour upon the driveway or within the enclosure of Fresh Pond.

Injury to trees,  
etc., forbidden.

SECT. 47. No person shall injure, deface or destroy any tree, shrub, grass, path, fence, building or wall on the land and driveway connected with, and appurtenant to, Fresh Pond, or other reservoir of the water-works, or dig or carry away the sward, gravel, rock, stones, sand, turf or earth on such land and driveway.

Also climbing  
trees, etc.

SECT. 48. No person shall climb a tree on the land connected with, and appurtenant to, Fresh Pond or other reservoir of the water-works, or tie a horse or other animal to a tree or fence on such land.

Also posting  
bills, etc.

SECT. 49. No person shall post a bill, placard or advertisement within the grounds connected with Fresh Pond or other reservoir of the water-works.

Penalty.  
P. S. c. 27, § 18.

SECT. 50. Whoever violates any provision of the preceding eight sections of this chapter shall be liable to a penalty of not more than fifty dollars for each offence.

<sup>1</sup> Amended April 3, 1895.



<sup>1</sup>CHAPTER 46.

RINGING OF BELLS AND GONGS IN THE PUBLIC STREETS.

SECTION 1. No person in any public street of the city shall ring a bell or gong, between the hours of ten o'clock P. M., and six o'clock A. M., except as a warning of danger. Ring<sup>ing</sup> of gongs prohibited, etc.

SECT. 2. Whoever violates any provision of this ordinance shall be liable to a penalty of not more than twenty dollars for each offence. Penalty.

<sup>1</sup> Approved July 28, 1897.

<sup>1</sup> CHAPTER 47.

## DISPOSAL OF LITTER AND RUBBISH IN STREETS, COMMONS, PUBLIC PLACES AND SQUARES.

Disposal of  
litter, etc.,  
in streets.

SECTION 1. Except as heretofore otherwise provided by ordinance, no person shall deposit, drop, place, put, sweep or throw into or upon any street, common, public place or square in this city any ashes, board, bottles, bricks, card, cinders, house dirt, iron or steel filings, glass, hand-bill, hair, piece of hoop, noxious or refuse liquor, manure, nail, offal, waste paper, sawdust, shavings, shells of any kind, shreds, soot, stones, animal or vegetable substance, solid matter or substance, sweepings, tin cans, wood, or filth, or rubbish of any kind.

Penalty.

SECT. 2. Whoever violates, causes, assists in or procures the violation of any provision of this ordinance shall be punished by a fine not exceeding twenty dollars for each offence.

<sup>1</sup> Approved May 5, 1897.

<sup>1</sup> CHAPTER 48.

CHILDREN UNDER SIXTEEN YEARS OF AGE.

SECTION 1. No child under sixteen years of age, shall be, loiter or remain upon any street, highway, park or other public way or place in this city after the hour of half past nine o'clock in the afternoon of any day, unless accompanied by, or under the control or care of a parent, guardian or other adult person, or performing or returning from employment or from the performance of some duty, directed in writing by said parent, guardian or other adult person, and no such child, while performing such duty, or returning from the performance thereof, or from employment, shall loiter upon any such street, highway, park or other public way or place.

Children under sixteen years of age not to loiter in street, etc., after 9.30 P. M.

SECT. 2. Any persons violating any of the provisions of this ordinance shall be liable to a penalty not exceeding five dollars for each offence.

Penalty.

<sup>1</sup> Approved July 27, 1898.

## CHAPTER 49.

### CONTINUANCE OF PAY OF CITY EMPLOYEES.

Employee,  
injured, to  
petition city  
council, etc.

SECTION 1. Every employee of the city injured while in the performance of his duty without fault on his part, in order to entitle him to compensation under chapter 364 of the acts of 1894 and any and all acts that may be enacted in addition thereof and supplementary thereto, shall petition the city council upon blanks to be prepared by the city solicitor, in which petition shall be set forth the time, place, and cause of the injury and his willingness to communicate and disclose all facts and circumstances relating and appertaining to said injury.

Petition  
referred to  
committee on  
claims.

SECT. 2. Said petition shall be forthwith referred to the committee on claims, who shall investigate and report upon the same with such recommendations as to the length of time, if any, for the continuance of the pay of the injured employee thereon as to the committee may seem proper.

City physician  
and city  
solicitor noti-  
fied of injuries.

SECT. 3. Upon the happening of any accident to any employee, the city physician and city solicitor shall be forthwith notified by the department in which the injured person was then employed.

Investigation  
relative to  
injury.

SECT. 4. After an investigation of the facts relating to the injury and an examination from time to time of the injured person by the city physician as to the extent of the injuries, all of which shall be under the direction of the city solicitor, a report shall be made by the latter in which shall be annexed a certificate of the city physician in a form satisfactory and as the city solicitor may deem to be in accordance with the statutes in such cases now and hereafter provided.

Hearing.

SECT. 5. The committee on claims, in addition to the report of the city solicitor, may hear such other facts as they may deem proper and shall report thereon to the city council. If the committee is in favor of the continuance of pay of such employee, and if their report is adopted by the council and approved by the mayor, the amount so allowed shall be entered upon the books of and verified by the department in which the injured was employed at the time the injury was sustained.

Certificate  
from head of  
department  
before pay-  
ment is made.

SECT. 6. Upon a certificate of and verification by the superintendent or head of department in which the injured was employed that the time allowed by the committee is correct, the amount of wages shall be forthwith paid upon the draft of the mayor upon

the execution by the injured person of a receipt and release in full of all demands against the city for any and all injuries arising out of or in any way connected with said injury.

SECT. 7. Should the disability continue beyond the time of the first payment or thereafterwards appear, further payments may be had and made from time to time upon other petitions of the injured, after investigation and report thereupon by the committee on claims, upon the certificate of the city physician, the adoption of the same by the city council and approval of the mayor, under the general forms, provisions and conditions as are hereinbefore provided.

Further pay-  
ment should  
disability  
continue.

## CHAPTER 50.

### CITY PHYSICIAN.

City physician,  
appointment  
of.

SECTION 1. The city physician at the time of his appointment shall be a resident of Cambridge, a graduate of a legally incorporated medical school and have practised as such physician for at least five years continuously prior to his appointment.

Duties.

SECT. 2. It shall be the duty of the city physician to attend, under the general direction of the overseers of the poor, upon all sick and insane paupers and other patients under the care of the city authorities at the almshouse or elsewhere ; to vaccinate, free of charge, all persons sent to him by the overseers of the poor, and such scholars of the public schools as the school committee shall direct, and all other needy residents of the city who may apply to him ; to give certificates of examination to such children of the public schools as he shall have effectually vaccinated ; to examine all candidates for appointment to the police force and fire department ; under the direction of the city solicitor to examine the condition of all officers upon the police force and fire department and all employees of the city incapacitated from the performance of their several duties and all cases of injuries upon the highway or elsewhere whereby the city may become liable, and render written report thereon to the city solicitor as and when required by the latter, together with such certificates as the law and ordinances may require ; upon application to sign the certificate of the cause of death to the best of his knowledge and belief, if there has been no physician in attendance ; at the request of the officers in charge upon the police stations and lockups to attend and give, free of charge, the necessary medical and surgical treatment to the prisoners therein ; at the request of the city solicitor to render such professional aid in court or otherwise as the latter may designate, in all suits and matters wherein the city is or may be interested ; in case of an alarm of any infectious or contagious disease, or other cause of nuisance, to give to either branch of the city council or any committee thereof all such professional advice, service and counsel as they may require ; and in general, to perform all the duties and render all the services now and that hereafter may be incumbent upon him by the laws of the commonwealth or the ordinances of the city now or that hereafter may be in force.

<sup>1</sup> Approved Oct. 22, 1896.

SECT. 3. The city physician shall receive such salary as the city council may by ordinance from time to time determine, which shall be in full of all services performed by him. He may expend to an amount not exceeding appropriations made for that purpose such sums as he may necessarily expend in the administration of the affairs of his office. He shall keep an account of his expenditures and certify by his signature upon all bills his approval of the same, and the same shall be audited, charged and paid in the manner as now provided by ordinance for bills of executive boards and heads of departments.

Salary.

Account of expenditures.

SECT. 4. The city physician may employ such permanent assistant or assistants for such time and compensation as the city council may from time to time determine, and in all cases he shall be responsible for the conduct of such assistant or assistants.

Employment of assistants.

SECT. 5. Annually in the month of December the city physician shall make report to the city council of the professional services rendered by him, with such suggestions as he may deem proper.

Annual report.





**STANDING REGULATIONS**  
**OF THE**  
**BOARD OF ALDERMEN**



## REGULATIONS OF THE BOARD OF ALDERMEN.

### STREET RAILWAYS.

SECTION 1. No person having control of the speed of a street railway car shall allow the same to go in any street at a rate of speed greater than eight miles an hour, except that on <sup>1</sup>Massachusetts avenue, north of Harvard square, Garden street, Concord avenue, Huron avenue, Mt. Auburn street, west of Brattle street, and on Massachusetts avenue, southeast of Lafayette square, the rate of speed shall not be greater than twelve miles an hour, nor shall he allow such car while passing over a switch or a turnout, or in turning a corner to go faster than four miles an hour.

Street  
railway.

SECT. 2. No driver, conductor or other person having the care and ordering of a street railway car shall allow such car to stop on a cross-walk nor in front of an intersecting street, except to avoid collisions or to prevent danger to persons in the street.

SECT. 3. When the driver, conductor or other person having the care and ordering of a street railway car is required to stop his car at the intersection of two streets to receive or land passengers, the car shall be stopped so as to leave the rear platform of the car or train slightly over the farther crossing.

SECT. 4. Except to prevent accident or injury, no street car, or any horse or horses attached thereto, shall be run or placed in the public streets within twenty-five feet of another street car in front thereof.

SECT. 5. There shall be two men in charge of each car at all times when the cars are in use.

### INTELLIGENCE OFFICES.

SECTION 1. The chief of police shall have the general supervision of all matters pertaining to the licensing, regulating and restraining of intelligence offices. He shall keep a book, in which he shall register, alphabetically, the names of all persons licensed to keep intelligence or employment offices, together with the name and number of the street and the portion of the building which they occupy. And he shall see that each person licensed is furnished with a copy of the statutes and the rules and regulations of the board of aldermen, relating to the estab-

Intelligence  
office.

<sup>1</sup> Amended March 20, 1895.

lishment and keeping of intelligence offices. He shall see that all persons licensed to keep the requisite books, and in all things conform to the requirements of the statutes and the rules and regulations. He shall be entitled to inspect, at any time, the books kept at licensed places as required by the rules of the board.

SECT. 2. All persons making applications for license to keep intelligence offices shall state in their petitions the place which they propose to occupy; and no person licensed shall occupy any other place without leave first obtained of the board of aldermen.

SECT. 3. All persons licensed as aforesaid shall place in some conspicuous place on the premises occupied by them, a sign, with their names and the word "licensed" thereon; and shall produce their license on the demand of any person doing business with them.

SECT. 4. They shall keep a book, in which shall be entered, at the time of application, the name and residence of any person who may apply for employment, and the name and residence of any person who may make application to be supplied with male or female domestics, servants, clerks or other laborers, and also any and all sums of money which may be received of any person for such services; and such books shall at all times be open to the inspection of the board of aldermen, or any person by them authorized.

SECT. 5. Intelligence offices may be kept open for business between the hours of seven A. M. and eight P. M., Sundays excepted, and at no other hours.

SECT. 6. Every licensed keeper of an intelligence office shall be entitled to receive of each female, at the time of application for a place, a sum not exceeding fifty cents; and of each male who shall make such application a sum not exceeding one dollar; and of each person making application for female servants a sum not exceeding fifty cents; and for a male servant a sum not exceeding one dollar, for which a receipt shall be given at the time; and in case no servant or place of employment is obtained within six days from the date of payment, the money shall be refunded, except as follows: If either male or female shall be sent to a situation, and make an engagement, and go to work, and for any reason shall not remain at the place, neither party shall be entitled to have the pay returned.

SECT. 7. Any person licensed to keep an intelligence office, who shall violate any of the provisions of the preceding sections, or any other rules and regulations that may be hereafter passed by the board of aldermen, shall be liable to have his license revoked; and any license may at any time be revoked for causes other than those specified.

## MOVING BUILDINGS.

No license for the removal of any building through any public street, square or place shall be authorized until certificates have been presented to the board of aldermen from the superintendent of streets certifying the general conditions with regard to the streets, squares or places through which it is proposed to remove the building, from the inspector of buildings as to the safety of the structure to be moved,<sup>1-2</sup> from the superintendent of parks of general conditions with reference to trees and the possibility of injury thereto, from the inspector of wires as to the conditions respecting electric wires on said route,<sup>1</sup> and, whenever it is proposed to move any building over and across any bridge which may be under the care of the commissioners of bridges, from the commissioner on the part of Cambridge, certifying the general condition of said bridge, and when the granting of such license is authorized it shall be upon the following conditions, viz.:

Moving  
buildings

*First.*—Each and every chimney on said building shall be taken down even with the roof before the building is started.

*Second.*—The licensee shall give the chief engineer of the fire department and the inspector of wires notice of such removal, at least twenty-four hours before the building shall be placed in the street.

*Third.*—The licensee shall file with the superintendent of streets, before the building is placed in the street, a bond, the amount of which shall be satisfactory to the mayor, with sufficient surety to indemnify the city from all loss and damage by reason of such removal.

*Fourth.*—The licensee shall reimburse the city for any expenses incurred by it by reason of labor by any department of the city in cutting and replacing wires, trimming trees, or in any other way, by reason of said removal,<sup>3</sup> and before receiving a license the licensee shall deposit with the superintendent of streets, the sum of twenty-five dollars, which sum shall be returned to the licensee when he has reimbursed the city for such expenses.

The above conditions shall be printed upon and become a part of each and every license issued.

<sup>4</sup> MINORS' LICENSES.

SECTION 1. No minor shall sell or offer for sale upon the streets of this city any article named in said section 1, chapter 68, public statutes, unless licensed so to do in accordance with the provisions of this order.

Minors'  
licenses.

<sup>1</sup> Amended Sept. 10, 1898.

<sup>2</sup> Amended March 24, 1898.

<sup>3</sup> Amended April 23, 1895.

<sup>4</sup> Amended Jan. 28, 1897.

SECT. 2. The licenses herein provided for shall be granted by the chief of police on application to him, to minors residing in the City of Cambridge. He shall keep a record of the name, age and residence of every person so licensed. No license shall be granted to a minor except upon application of his parent, guardian or next friend. The chief of police shall be entitled to receive the sum of eighty-five cents for issuing a license required by these rules and regulations, and shall furnish the licensee with a badge in conformity with the requirements of section 6 of this order. Said licensee may return such badge at any time upon the expiration or surrender of his license, and the person returning the badge shall be entitled to receive the sum of sixty cents therefor, provided such badge is in a reasonably good condition.

SECT. 3. No license shall be granted to any minor under the age of ten years, and every minor under the age of fifteen years so licensed shall each (school) day during the school year attend some school approved by the school committee.

SECT. 4. No sale of such articles shall be made by any minor under the age of fifteen years, between fifteen minutes before the opening and fifteen minutes after the closing of the school on any day in which said school which he is obliged to attend may be in session; nor shall the licensee offer such articles for sale on Sundays within two hundred feet of any place of worship.

SECT. 5. No license shall be granted to any minor who has at the time of his application permission to sell newspapers or periodicals on the street railway cars in this city, and the subsequent obtaining of this permission shall be a revocation of the license granted under the provisions of this order.

SECT. 6. While engaged in sale of any of the articles named in section 1, chapter 68, public statutes, every person so licensed shall wear in plain sight a badge with the words "Cambridge License," and the number thereon, and shall upon request of any city officer exhibit his license for inspection. No more than two licensees, and none other, shall be with, or accompany, or trade from any vehicle used in carrying or holding such article or products, and they shall at all times deport themselves in a respectful, orderly and quiet manner, and shall observe and follow any further orders or directions that may be given them by the board of aldermen, or any member of the police department, acting by the direction of that board.

SECT. 7. All such licenses shall expire on the 31st day of December in each year, and any of them may be suspended or revoked by the chief of police. Cruel treatment of animals, racing, or driving through the streets faster than allowed by law, profanity, impudent, indecent or violent language, or intemperance, one or all will be cause for revocation of the licenses.

<sup>1</sup> USE OF STREETS BY VEHICLES.

SECTION 1. Every vehicle, except street cars, bicycles and tricycles, which shall be used within the city of Cambridge for the conveyance of persons or goods of any description for hire from place to place within the city, before being so used, shall be licensed by the board of aldermen, and every vehicle so used for the conveyance of goods shall have placed upon the outside and upon each side of the same the name of the owner and the number of the license in plain, legible letters and figures, of not less than one and one-half inches in size, and so that the same may be distinctly seen.

SECT. 2. Upon each side of each hackney carriage so licensed there shall be fitted a lamp, which lamp shall always be kept lighted at night when the carriage is in use or waiting for passengers, and upon the glass covering of each of said lamps there shall be painted in black the number of the license in Arabic characters not less than one inch in size, and such numbers shall be preceded by the letter C, not less than one inch in size.

SECT. 3. Every hackney carriage shall carry its license so that it shall be accessible to passengers.

SECT. 4. No person shall set up and use or have charge of any hackney carriage which shall be used within the city of Cambridge for the conveyance of persons for hire from place to place within the city unless he is licensed thereto by the board of aldermen, nor unless the carriage is licensed, marked and numbered as provided in sections one and two, and carries its license as provided in section three.

SECT. 5. No person having charge of a hackney carriage shall solicit passengers, except by a motion of the hand, unless he is on or within ten feet of such vehicle.

SECT. 6. No person having charge of a hackney carriage shall solicit passengers in any public way or place within the city, unless he is licensed by the board of aldermen.

SECT. 7. The board of aldermen reserves the right to revoke any license at its discretion. If any person other than the owner or lessee shall take out a license for any such vehicle, he shall be liable to have his license revoked, and if any licensee shall cease to be an owner or lessee, he shall immediately surrender his license to the board of aldermen.

SECT. 8. The city clerk shall receive for the use of the city the fee of one dollar for every license so granted and for every license granted for a wagon stand, and shall keep a record of the same and of all licenses granted.

<sup>1</sup> Amended May 5, 1898.

SECT. 9. Each license so granted shall expire on the first day of May next, after the date thereof, and no license shall be sold, assigned or transferred without the consent of the board of aldermen.

SECT. 10. No vehicle shall be set up in front of any premises without the written consent of the owner or the agent of the owner, and the occupant of said premises.

SECT. 11. The person in whose name the license is taken out for any such vehicle shall for all the purposes of this rule be considered as the owner of the same, and liable to all the forfeitures and penalties herein contained, unless, upon the sale of such vehicle, written notice be given to the city clerk and the license returned to him forthwith.

SECT. 12. No owner, driver or other person having charge of any such vehicle shall suffer the same when attached to a horse to stop in a street without some proper person to take care of the same unless said horse is properly and securely fastened; but no person shall be deemed to have violated this provision who is a physician visiting the sick or who is delivering goods, or taking orders at any house, store, building or tenement.

SECT. 13. Each person who uses or sets up a vehicle from which fruit or other merchandise is sold, shall keep the space at and around his stand free and clear from all rubbish, filth and deposits of every name and nature coming from or in any way related to his business and in a manner satisfactory to the superintendent of streets.

SECT. 14. No person having charge of any hackney carriage shall receive or permit to be placed therein, or convey in or upon the same any person sick with any contagious disease, or the body of any person deceased from such disease.

SECT. 15. Every vehicle used, or to be used, for the conveyance of persons, except electric cars, bicycles and tricycles shall be deemed a hackney carriage within the meaning of the preceding sections.

SECT. 16. Whoever violates any of the aforesaid provisions contained in these rules shall be punished by a fine not exceeding twenty dollars for each offence.

#### <sup>1</sup> BILLIARD AND OTHER AMUSEMENT LICENSES.

All licenses granted for keeping billiard, pool and sippio tables, and bowling alleys, shall be subject to the condition that the licensed premises may be kept open only between the hours of seven o'clock A. M. and twelve o'clock P. M., Sundays excepted, and at no other hours.

*Provided*, that on Saturdays such licensed premises shall be closed at eleven and a half o'clock P. M.

<sup>1</sup> Amended April 27, 1898.



## PAWNBROKERS, DEALERS IN JUNK, OLD METALS AND SECOND-HAND ARTICLES.

**RULE 1.** No person, corporation, member of a co-partnership, or firm shall, in this city, engage in or carry on the business of loaning money upon mortgages, deposits or pledges of wearing apparel, jewelry, ornaments, household furniture or other personal property (excepting, however, stocks, bonds, notes or other written or printed evidence of ownership of property or of indebtedness to the holder or owner of any such securities) or of purchasing such property on condition of selling the same back again at a stipulated price, unless such person, corporation, co-partnership or firm is licensed therefor by the board of aldermen of this city as pawnbroker, and unless such person, corporation, co-partnership or firm complies with all lawful rules, regulations and laws now and hereafter adopted, passed and enacted in reference and applicable to pawnbrokers.

**RULE 2.** No person, corporation, co-partnership or firm licensed as a pawnbroker in this city shall therein make any loan secured by mortgage or pledge of household furniture or any other personal property exempt from attachment or by assignment of wages for personal service, for less than two hundred dollars, and at a rate of interest greater than twelve per cent, without first having obtained a license from the board of aldermen of this city for carrying on such business.

**RULE 3.** Each license issued to a pawnbroker shall set forth the name of the party licensed, the nature of the business, and the building or place in which it is to be carried on; and shall continue in force one year from the date thereof, unless sooner revoked. The place of business shall not be changed during the continuance of the license except special consent of the board of aldermen to removal is obtained. The fee for such license shall be fifty dollars.

No such license shall be transferable.

**RULE 4.** No pawnbroker shall charge upon loans made by them a greater rate of interest than as follows, to wit:—

On the sum of \$1.00 or less, first week,<sup>1</sup> 5 cents; each week after, 2 cents.

On a sum of \$1.00 to \$3.00, first week,<sup>1</sup> 4 per cent; each week after,<sup>1</sup> 2 per cent.

On a sum of \$3.00 to \$10.00, first week,<sup>1</sup> 3 per cent; each week after,<sup>1</sup> 2 per cent.

On a sum of \$10.00 to \$25.00, first week,<sup>1</sup> 2<sup>1</sup> per cent; each week after,<sup>1</sup> 2 per cent.

<sup>1</sup> Amended July 8, 1899.

On a sum of \$25.00 to \$50.00, first week,<sup>1</sup> 2 per cent; each week after,<sup>1</sup> 1 per cent.

On a sum of \$50.00 to \$100.00, first week,  $\frac{3}{4}$  per cent; each week after,  $\frac{1}{2}$  per cent.

On a sum of \$100.00 to \$200.00, first week,  $\frac{1}{2}$  per cent; each week after,  $\frac{1}{4}$  per cent.

**RULE 5.** Every pawnbroker shall keep at his place of business a book in which shall be legibly written in the English language at the time of making every such loan a minute and accurate account and description of the goods, articles or things pawned or pledged, particularly mentioning any prominent or descriptive marks on the same, the amount of money loaned thereon, the day and hour of pledging the same, the rate of interest to be paid on such loan, with the name, age and residence, giving street and number when possible, of the person pawning or pledging such goods, articles or things. No entry in said book shall be changed, erased, obliterated or defaced.

**RULE 6.** Every such pawnbroker shall at the time of making such loan deliver to the person pawning or pledging any goods, article or thing, a memorandum or note numbered and signed by him, in a form satisfactory to the chief of police, containing the substance of the entry required to be made in his book by the preceding rule, and no charge shall be made or required by any pawnbroker for any such entry, memorandum or note.

**RULE 7.** Said book mentioned in rule 5 and the premises at which the business is carried on, all things pawned or pledged and stored therein, shall at all reasonable times be opened to the full inspection of the mayor, chief, deputy chief, captains, chief inspector of police, any member of the district police, or any person who shall be duly authorized in writing for that purpose by any or either of them, upon exhibiting such written authority to the pawnbroker.

**RULE 8.** Every such pawnbroker shall each day, before twelve o'clock M., cause to be made out and delivered to the police captain of the district in which his business is conducted, a substantial copy of the entry required to be made in his book during the preceding twenty-four hours, and the number of the note or memorandum given by him.

**RULE 9.** Every such pawnbroker shall post in his office or in some conspicuous way at his place of business a printed copy of chapter 497 of the acts of 1895, and sections seven, eight, ten, eleven and twelve of chapter 192, of all acts since passed and as they may hereafter be passed in amendment, supplementary or in repeal of the chapter and several sections just enumerated.

<sup>1</sup> Amended July 8, 1899.

RULE 10. No such pawnbroker shall directly or indirectly receive any article in pawn or pledge of any minor, knowing, or having reasonable cause to believe him to be such, without the consent in writing of the parent or guardian of such minor.

RULE 11. A violation of any of these rules or of any subsequent rules that may be adopted in the premises shall of itself be sufficient cause and reason to revoke any such license. The board of aldermen reserves the right at any time for any other cause sufficient to them to revoke any license issued to any such pawnbroker.

RULE 12. Every such pawnbroker shall at the time of receiving his license file with the city clerk a bond to the city with two responsible sureties, to be approved by the mayor in the penal sum of three hundred dollars, which bond shall be conditioned for the faithful performance of the duties and obligations pertaining to the business so licensed.

## CONCERNING SMALL LOANS.

1. The board of aldermen, upon petition in form by them prescribed, will license such persons as to them may seem suitable to make loans secured by mortgage or pledge of household furniture or other personal property exempt from attachment, or by assignment of wages for personal service, for less than two hundred dollars, and at a rate of interest greater than 12 per cent, pursuant to and subject to the provisions of chapter 577 of the acts of the legislature of Massachusetts of the year 1898.

All such licenses shall continue in force for one year from the date thereof.

2. Applications for such licenses shall be made at least one month before the same are to be issued, and shall be published at the expense of the applicant to be paid in advance, by the board of aldermen, in two or more daily newspapers published in the city of Cambridge. Applications for such licenses shall be examined into and reported on by the chief of police. A fee of twenty dollars shall be paid for each such license at the time the same is issued.

3. Interest may be charged by persons licensed under this rule as follows: On loans not exceeding fifty dollars, at the rate of 24 per centum per annum; on loans of over fifty dollars, at the rate of 18 per centum per annum.

4. All persons licensed under this rule shall make a report to the said board in writing, of every suit brought upon any bond given by such licensee pursuant to the provisions of statute 1898, chapter 577, not later than ten days from the entry of the writ or other process by which such suit was commenced, which

statement shall set forth the *ad damnum* of the writ and the names and residences of the parties to such suit, the court in which it was brought and the docket number thereof, if any. And when any such suit is finally disposed of, either by judgment or decree, or by order of the court, or by settlement, such licensee shall, within twenty-four hours thereof, give notice to said board, in writing, setting forth the result of such suit or settlement, and the amount and terms of such judgment, order or decree, and the terms of such settlement, and the amount or other consideration given or promised therefor.

5. All persons licensed under this rule shall keep at their places of business a book in which shall be legibly written in the English language, at the time of making every such loan, a minute and accurate account and description of the goods, articles and things pawned or pledged (particularly mentioning prominent or descriptive marks on the same) or specifying the wages assigned, the amount of money loaned thereon, the day and hour when the mortgage or assignment was made, the date on which the debt is to become due, the rate of interest to be paid thereon, calculated at an annual rate of percentage, together with the name, age, residence, giving street and number, when possible, of the person pawning or pledging such goods, articles or things, or assigning such wages.

Every licensee shall enter in such book at the time of each payment by the borrower, the date of such payment, the amount then paid, a statement whether it is interest or a payment on account of principal, a statement of the total amount, both principal and interest, previously paid on such loan, and a statement of the amount still due on the principal after such payment.

There shall be a separate page or a separate portion of a page in such book for each loan, numbered consecutively, in which shall be entered all the entries and transactions relating to such loan and the number on such page or portion of a page shall correspond with the number on the memorandum or note to be furnished to the borrower as hereinafter specified. No entry in said book shall be changed, erased, obliterated or defaced.

6. Every such licensee shall at the time of making such loan deliver to the person pawning or pledging any goods, article or thing, a memorandum or note numbered and signed by him, in a form satisfactory to the chief of police, containing the substance of the entry required to be made in his book by the preceding rule, and no charge shall be made or required by any such licensee for any such entry, memorandum or note.

Whenever any payment is made on account of any such loan the person receiving the payment, or his principal, shall, when

payment is taken, endorse on the back of such memorandum or note the date of such payment, the amount then paid, a statement whether it is interest or a payment on account of principal, a statement of the total amount, both principal and interest previously paid on such loan, and a statement of the amount still due on the principal after such payment. And the person receiving such payment, or his principal, shall sign such endorsement. If such memorandum or note is lost or destroyed, the lender shall furnish the borrower, on demand, a duplicate of the same free of charge, setting forth all the endorsements that were or ought to have been upon the original or upon any duplicate thereof, at the time of its loss.

7. Said book mentioned in rule 5 and the premises at which the business is carried on, all things pawned or pledged and stored therein, shall at all reasonable times be open to the full inspection of the mayor, chief, deputy chief, captains, chief inspector of police, any member of the district police or any person who shall be duly authorized, in writing, for that purpose by any or either of them, upon exhibiting such written authority to the licensee.

8. Every such licensee shall each day, before twelve o'clock m., cause to be made out and delivered to the police captain of the district in which his business is conducted, a substantial copy of the entry required to be made in his book during the preceding twenty-four hours and the number of the note or memorandum given by him.

The information so received by the chief of police shall not be divulged by him except when he is required so to do by law or by order of the board of aldermen.

9. No such licensee shall directly or indirectly receive any article in pawn or pledge of any minor, knowing or having reasonable cause to believe him to be such, without the consent in writing of the parent or guardian of such minor.

10. A violation of any of these rules or of any subsequent rules that may be adopted in the premises, shall of itself be sufficient cause and reason to revoke any such license. The board of aldermen reserves the right at any time for any other cause sufficient to them, to revoke any license issued to any such licensee.

11. Every such licensee shall, at the time of receiving his license, file with the city clerk a bond to the city with two responsible sureties, to be approved by the mayor, in the penal sum of two hundred dollars, which bond shall be conditioned for the faithful performance of the duties and obligations pertaining to the business so licensed.

SALARIES OF CERTAIN OFFICERS.

Salaries of certain city officers.

The salaries of officers which are fixed by the board of aldermen are hereby fixed and established as follows, to wit:—

Superintendent of sewers . . . .	\$1700 00	per year
Soldiers' aid clerk . . . .	900 00	per year
Chief of police . . . .	<sup>7</sup> 2000 00	per year
<sup>1</sup> Deputy chief of police . . . .	1500 00	per year
<sup>2</sup> Captains of police . . . .	1400 00	per year
Chief inspector (captain) of police . .	1400 00	per year
Assistant inspector (lieutenant) of police	<sup>3</sup> 1200 00	per year
Sergeants of police . . . .	<sup>4</sup> 1186 25	per year
Patrolmen, first two years of service . .	<sup>4</sup> 912 50	per year
Patrolmen, after two years of service	<sup>4</sup> 1042 86	per year
<sup>5</sup> Patrolmen, after five years of service	1095 00	per year
<sup>4</sup> Members of reserve police force, each	730 00	per year

<sup>4</sup> In estimating the years of service, the time spent as a reserve police officer shall be considered service as a patrolman within the meaning of this regulation.

<sup>6</sup> Whenever by reason of length of service the pay of a patrolman is to be increased, notice thereof shall be sent to the mayor by the chief of police, before placing the name of such patrolman upon the pay roll at the increased rate of compensation.

<sup>1</sup> Amended April 14, 1897.  
<sup>2</sup> Amended April 16, 1895.  
<sup>3</sup> Amended Dec. 19, 1893.  
<sup>4</sup> Amended May 18, 1898.  
<sup>5</sup> Amended May 25, 1899.  
<sup>6</sup> Amended March 31, 1898.  
<sup>7</sup> Amended Oct. 10, 1899.



# List of Public Statutes and Parts of Statutes requiring accept- ance which have been accepted by the City of Cambridge and the dates of such acceptances

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## PUBLIC STATUTES

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### CHAPTER 28.

Sections 17 to 22 inclusive:—

Relating to vacancies in the offices of mayor, alderman, member of common council, or any other office to be filled by popular election.

Duties of ward officers, and the removal of officers from one ward to another ward in the city, after election.

*Corresponding provisions of chapter 19, General Statutes, to wit:— Sections 6 to 11 inclusive, were accepted October 31, 1860.*

Section 23:—

Providing that the mayor or any alderman or member of the common council may at the same time hold any other office under the city government except one of emolument.

*Accepted December 27, 1888.*

### CHAPTER 50.

Section 25. Apportionment of sewer and sidewalk assessments:—

The provisions of chapter 249, of the acts of the year 1878, which correspond to the provisions of the above-named chapter were *accepted by an ordinance passed November 19, 1879.*

### CHAPTER 51.

Sections 1 to 10 inclusive:—

Authorizing the assessment of betterments on account of public improvements. *Accepted December 28, 1887.*

## CHAPTER 58.

The inspection and sale of provisions and animals intended for slaughter. *Accepted February 5, 1890.*

## CHAPTER 60.

Sections 32, 33 and 34. Authorizing the appointment of weighers of hay :—

The provisions of sections 72, 73, 74 and 75, of chapter 49, General Statutes, which correspond to the provisions of the above-named sections were *accepted January 9, 1861.*

## CHAPTER 80.

Sections 8 to 12 inclusive. Authorizing the appointment of a board of health :—

The provisions of chapter 133, of the acts of 1877, which correspond to the provisions of the above-named sections, were *accepted November 6, 1877.*

## CHAPTER 101.

Sections 1 to 5 inclusive :—

Burnt or dangerous buildings, adjudged nuisances and how such nuisances may be abated. *Accepted June 19, 1884.*

## CHAPTER 102.

Sections 40 to 48 inclusive :—

Regulating the erection and maintenance of steam engines, furnaces and boilers. *Accepted January 29, 1890.*

*Chapter 197, of the acts of the year 1845. Accepted May 12, 1845.*

## CHAPTER 104.

Section 1. Cities may make by-laws for the prevention of fires :—

The provisions of chapter 243 of the acts of 1872, which correspond with the provisions of the above-named section, were *accepted May 17, 1872.*

Sections 4 to 11 inclusive :—

The inspection of buildings. *Accepted January 23, 1885.*

## CHAPTER 74. ACTS OF 1890.

In relation to the preservation of the public health in cities. *Accepted May 15, 1890.*

## CHAPTER 341. ACTS OF 1892.

In relation to public parks. *Accepted June 15, 1892.*



## CHAPTER 462. ACTS OF 1893.

In relation to establishing a building line on public ways.  
*Accepted July 28, 1893.*

## CHAPTER 337. ACTS OF 1893.

In relation to public parks. *Accepted June 7, 1893.*

## CHAPTER 364. ACTS OF 1894.

Authorizing the city to continue the pay of disabled officers and employees in certain cases. *Accepted May 31, 1894.*

## CHAPTER 481. ACTS OF 1894.

Sections 11, 14, 15, 16, 17, 18, 19, 20, 21, 22:—

Relative to the regulation and inspection of buildings. *Accepted November 21, 1894.*

## CHAPTER 99. ACTS OF 1895.

Authorizing the city to establish hospitals for contagious diseases. *Accepted March 20, 1895.*

## CHAPTER 71. ACTS OF 1895.

Authorizing city to establish fire limits. *Accepted March 27, 1895.*

## CHAPTER 236. ACTS OF 1895.

Authorizing the placing of parks and commons under the charge of the park commissioners. *Accepted May 8, 1895.*

## CHAPTER 173. ACTS OF 1896.

Amending Charter, etc. *Accepted April 1, 1896.*

## CHAPTER 175. ACTS OF 1896.

Clay pits. *Accepted April 16, 1896.*

## CHAPTER 238. ACTS OF 1896.

Building sewers by Cambridge and Somerville. *Accepted May 12, 1896.*

## CHAPTER 455. ACTS OF 1894.

Plumbing: Supervision and licensing. *Accepted November 12, 1896.*

## CHAPTER 314. ACTS OF 1896.

Reserve police force. *Accepted November 17, 1897.*



## CHAPTER 462. ACTS OF 1893.

Building line on public ways. *Accepted April 13, 1898.*

## CHAPTER 313. ACTS OF 1896.

As amended by chapter 379, acts of 1897. Building line and height of buildings on parkways, etc. *Accepted April 13, 1898.*

## CHAPTER 179. ACTS OF 1899.

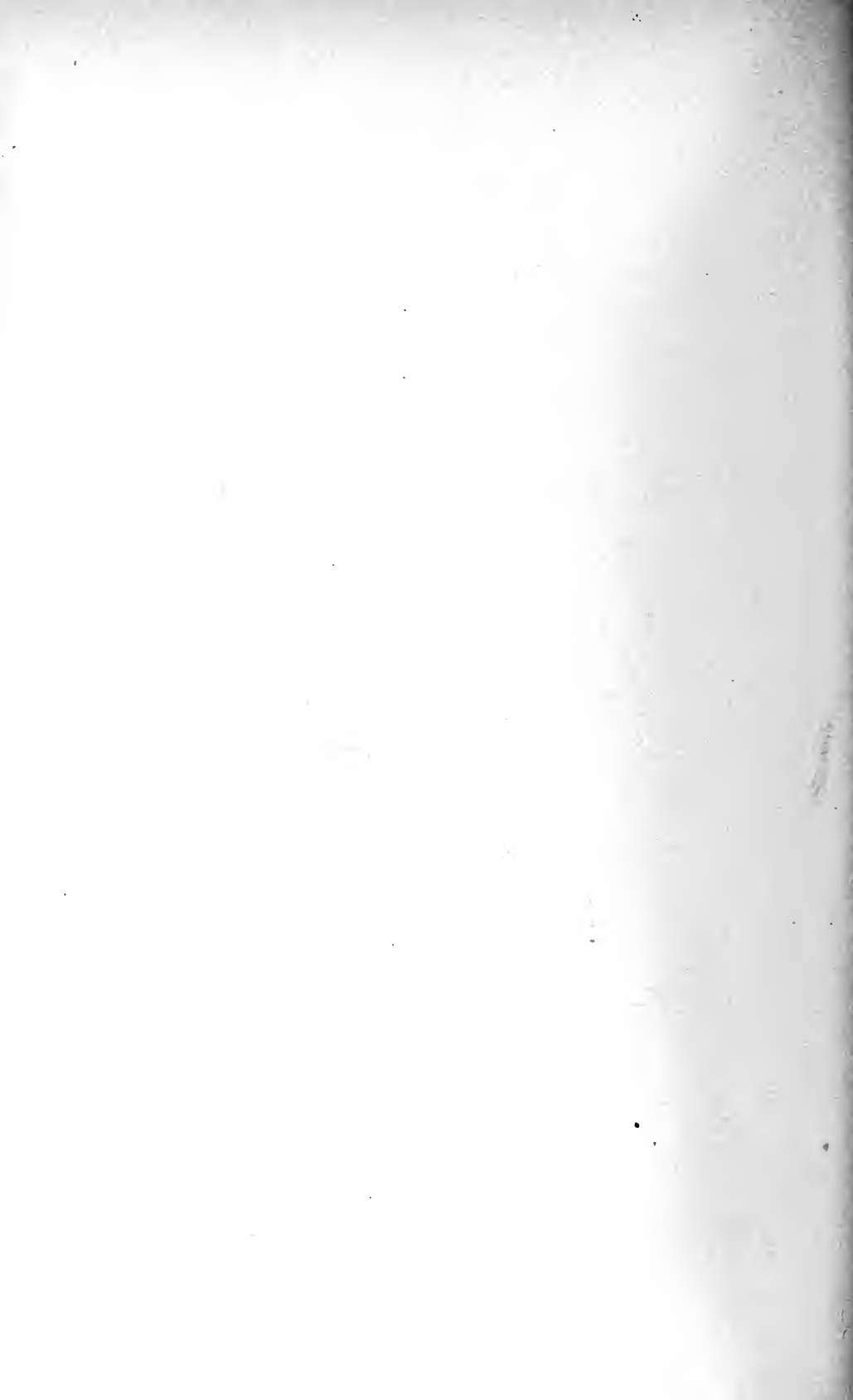
To vacate certain sewer assessments. *Accepted April 13, 1899.*

## CHAPTER 275. ACTS OF 1899.

Drain by city of Somerville. *Accepted August 4, 1899.*

## INDEX.

NOTE.— City Charter was approved by the Governor on May 29, 1891, and accepted by the voters at the annual election held December 8, 1891.



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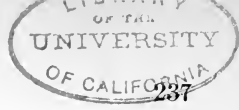


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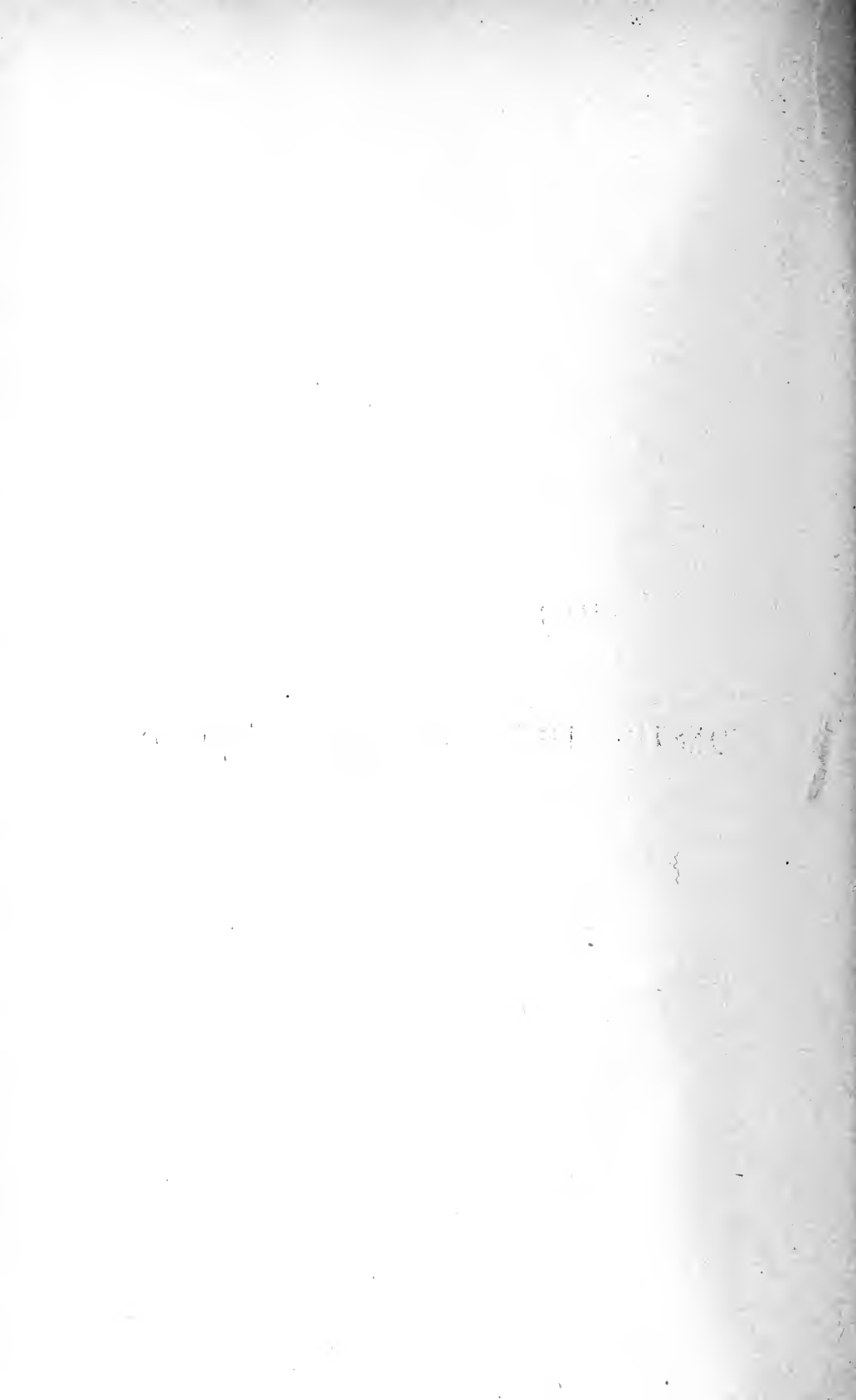




# **SPECIAL INDEX**

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**CONSTRUCTION, ETC., OF BUILDINGS**



## SPECIAL INDEX

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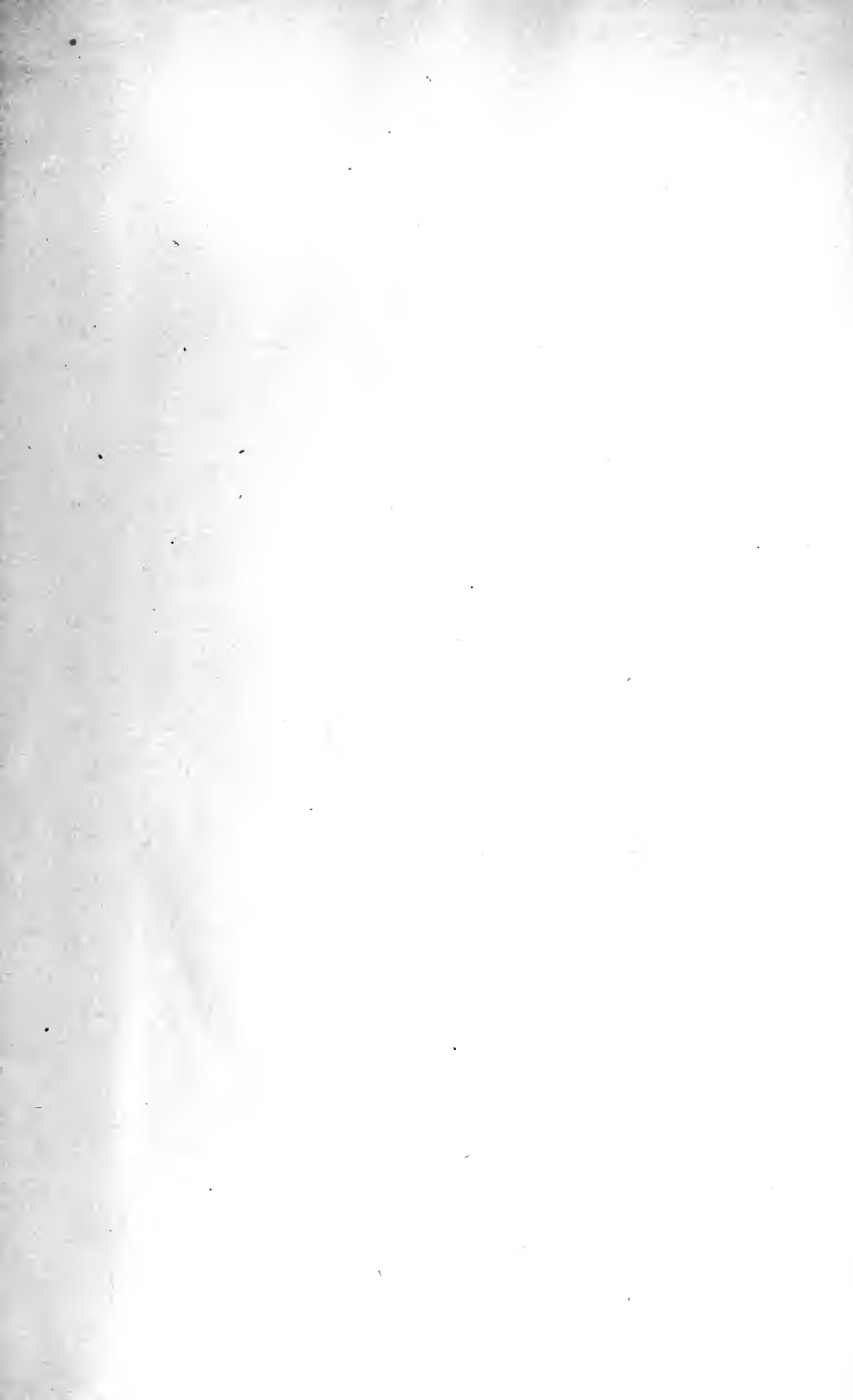
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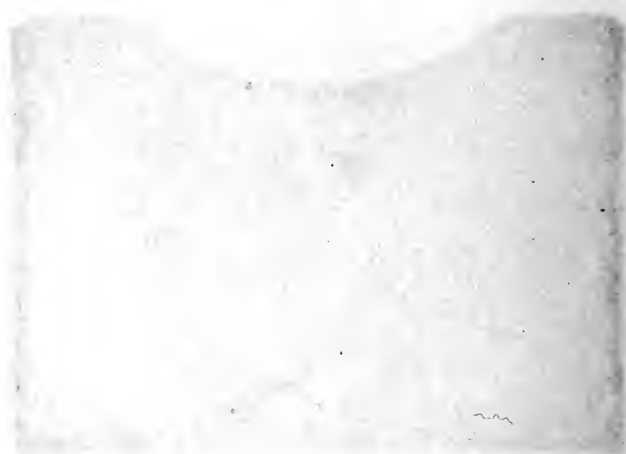
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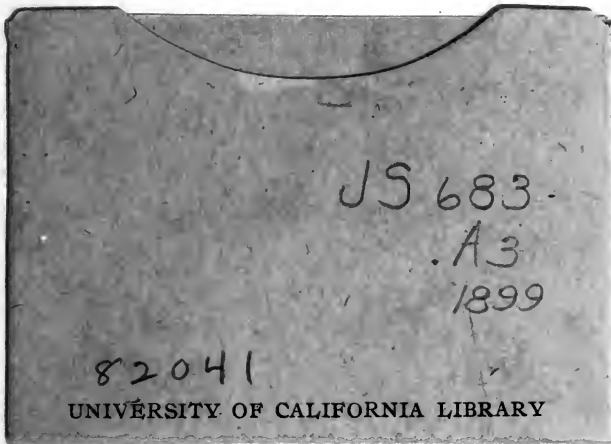
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