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CITY OF CAMBRIDGE

Office of the City Solicitor
795 Massachusetts Avenue
Cambridge, Massachusetts 02139

April 4, 2022

Louis A. DePasquale
City Manager
City Hall
Cambridge, MA 02139

Re: Awaiting Report No. 21-45 Re: Report on Taking All Necessary Steps to Waive the Dog License Fee for All Senior Citizens and Examine Options for Reducing the Fees for Low-Income Residents

Dear Mr. DePasquale:

This is in response to the above referenced Awaiting Report, which requests that the City Manager work with the City Solicitor and the Animal Commission to take all necessary steps to waive the dog license fee for all senior citizens and examine options for reducing the dog license fees for low-income residents as already defined by other City programs in Cambridge, and to report back to the City Council.

G.L. c. 140, §139 ("Section 139") codified the provision of Chapter 369 of the Acts of 2002 that provides that "no fee shall be charged for a license fee for a dog owned by a person owned by a person aged 70 years or older in any city or town that accepts this provision" (The "Provision"). The City has not accepted this Provision.

Section 139 also provides that "[t]he fee for a [dog] license shall, except as otherwise provided, be determined by a city or town; provided, however, that no fee shall be increased without a majority vote of the city or town council or the voters present at a town meeting." Section 139 further provides that the license fee for a spayed or neutered dog must be "less than the license fee for an intact dog," and that no fee shall be charged . . . for a "license for a dog owned by a person aged 70 years or over in a city or town that accepts this provision."

Separate and apart from the provisions of Section 139, Section 6.04.020 of the Cambridge Municipal Code ("Section 6.04.020") sets the fee for a spayed or neutered dog at \$10

and the fee for an intact dog at \$30 and provides no flexibility to set fees lower or to waive them altogether. Therefore, if the City Council would like to waive all dog license fees for individuals aged 70 or older, it must first accept the Provision, by majority vote; and after such acceptance, it must then amend Section 6.04.020 to allow for the waiver of dog license fees for owners aged 70 or older.

Attached hereto is a proposed order should the City Council wish to accept the Provision, as set forth in G.L. c. 140, §139(c). In addition, attached hereto for the Council's consideration is a proposed amendment to Section 6.04.020 of the Cambridge Municipal Code that would provide for the waiver of fees for dog owners aged 70 or older.

With respect to lowering the dog license fee for lower-income residents, it would require that the City first establish a clear policy as to which income levels qualify and what level of documentary proof would be required to qualify for such reduction in the dog license fee in order to ensure that it be done in a non-discriminatory manner and would further require that the dog license fee for low-income owners of intact dogs be more than the dog license fee for low-income owners of spayed or neutered dogs, all of which would likely be complicated and time consuming.

Very Truly Yours,



Nancy E. Glowa
City Solicitor