

SENATE No. 2374

The Commonwealth of Massachusetts

PRESENTED BY:

Lydia Edwards

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act securing environmental justice in the city of Boston.

PETITION OF:

NAME:

Lydia Edwards

DISTRICT/ADDRESS:

Third Suffolk

SENATE No. 2374

By Ms. Edwards, a petition (accompanied by bill, Senate, No. 2374) of Lydia Edwards (with approval of the mayor and city council) for legislation relative to the promulgation of zoning rules and regulations in the city of Boston. Municipalities and Regional Government. [Local approval received]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Third General Court
(2023-2024)**

An Act securing environmental justice in the city of Boston.

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

1 SECTION 1. Section 6 of Chapter 665 of the Acts of 1956, as amended, is hereby
2 amended by striking out the section in its entirety and inserting in place thereof the following
3 section:-

4 The Boston Zoning Commission shall in consultation with the state Environmental
5 Advisory Council, Public Service Corporations, environmental justice advocates within one
6 calendar year of enactment of this section, promulgate zoning rules and regulations to govern the
7 review of filings petitions or proposals by public service corporations and the standards for
8 environmental justice enforcement within the City of Boston’s building code.

9 SECTION 2. Section 7 of Chapter 665 of the Acts of 1956, as amended, is hereby
10 amended by inserting at the conclusion of Section 7 of the following paragraph:-

11 Upon a determination that a use or a proposed use of a building structure, facility, or land
12 in the City of Boston would impede the attainment of environmental rights afforded to residents
13 of the Commonwealth pursuant to Article XCVII of the Massachusetts Constitution, or prevent
14 the implementation of the Environmental Justice principles as defined in Chapter 8 of the Acts of
15 2021, or prevent the preservation and protection of the rights in tidelands of the inhabitants of the
16 Commonwealth as defined in Chapter 91 of the General Laws, the Building Commissioner shall
17 indicate the purpose, rationale, conditions and duration or permanency of such order, and provide
18 instruction to public officers concerning the suspension or rescission of any permit, license or
19 authorization associated with such use or proposed use. The Building Commissioner shall within
20 one year of enforcement, submit a report that at the very minimum summarizes the enforcement
21 process, number of complaints, any disparities, information about repeat offenders. This report
22 shall be made public and presented to the City Council.

23 SECTION 3. The provisions of this ordinance are severable and if any provision, or
24 portion thereof, should be held to be unconstitutional or otherwise invalid by any court of
25 competent jurisdiction, such unconstitutionality or invalidity shall not affect the remaining
26 provisions, which remain in full force and effect.