

**SENATE . . . . . No. 2012**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

***Harriette L. Chandler***

*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 relative to the off-street parking board in the city of Worcester.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Harriette L. Chandler</i>	<i>First Worcester</i>	
<i>Mary S. Keefe</i>	<i>15th Worcester</i>	<i>9/9/2015</i>
<i>Daniel M. Donahue</i>	<i>16th Worcester</i>	<i>9/9/2015</i>
<i>Michael O. Moore</i>	<i>Second Worcester</i>	<i>9/9/2015</i>
<i>Kate D. Campanale</i>	<i>17th Worcester</i>	<i>9/10/2015</i>
<i>James J. O'Day</i>	<i>14th Worcester</i>	<i>9/10/2015</i>
<i>John J. Mahoney</i>	<i>13th Worcester</i>	<i>9/10/2015</i>

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By Ms. Chandler, a petition (accompanied by bill, Senate, No. 2012) of Harriette L. Chandler, Mary S. Keefe, Daniel M. Donahue, Michael O. Moore and other members of the General Court (with the approval of the mayor and city council) for legislation relative to the off-street parking board in the city of Worcester. Municipalities and Regional Government. [Local Approval Received.]

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**The Commonwealth of Massachusetts**

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**In the One Hundred and Eighty-Ninth General Court  
(2015-2016)**  
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An Act relative to the off-street parking board in the city of Worcester.

*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. Notwithstanding any general or special law to the contrary, the off-street  
2 parking board of the city of Worcester, originally established under chapter 365 of the acts of  
3 1955, as amended, shall have authority to impose of surcharge to be added to the rate charged for  
4 each vehicle using the so-called “CitySquare” garage located underground at the corner of Front  
5 Street and Mercantile Street in the city of Worcester. The board may establish different  
6 surcharge rates based upon the length of time a vehicle is parked, whether the vehicle holds a  
7 monthly parking pass or is a daily transient parker, or upon such other criteria as it deems  
8 reasonable.

9           SECTION 2. The proceeds of any such surcharge shall be credited to a revolving fund  
10 which shall be established by the city of Worcester under G.L. c. 44 § 53E ½ and designated the  
11 “Worcester Common Environs Programing & Maintenance Revolving Fund.” Such fund shall

12 be established to maintain the physical infrastructure of the Worcester Common, to program  
13 music, dramatic and other public events held on the common, to support the operation of the  
14 skating rink in the wintertime, to provide police patrols and security measures, to provide for a  
15 capital reserve fund for the repair or replacement of any capital facility, structure or memorial  
16 located on the common or to assist in the payment of debts incurred by the sale of bonds and  
17 notes sold for purposes consistent with these purposes and backed by the full faith and credit of  
18 the city of Worcester.

19 SECTION 3. Notwithstanding any provision in G.L. c. 44 § 53E ½ to the contrary, at the  
20 close of a fiscal year in which this revolving fund is not reauthorized for the following year, the  
21 balance in the fund at the end of the fiscal year shall revert to the off-street parking board for  
22 expenditure for the repair or replacement, or related debt service, of any capital facility under the  
23 care, custody and control of said board.

24 SECTION 4. Once the revolving fund required by this act is established, the city  
25 treasurer of Worcester may accept for deposit into the revolving fund any grants or gifts of funds  
26 from any charitable foundation, private corporation, or individual, or from the commonwealth,  
27 without the formal acceptance otherwise required by G.L. c. 44 § 53A, provided that notice of  
28 any such gift or grant is publically made to the city council of Worcester.

29 SECTION 5. Notwithstanding any general or special law or regulation to the contrary,  
30 the revenues generated by the surcharge authorized by this act shall not be considered as “project  
31 revenues” governed by any district improvement financing plan approved under G.L. c. 40Q.

32           SECTION 6. This act shall take effect upon the sooner of the opening of the garage for  
33 public use or its passage and any revenue generated during the initial fiscal year of operation  
34 shall be considered a “new revenue source” under G.L. c. 44 § 53E ½.