HOUSE . . . . . No. 3462

By Mr. Madden of Nantucket, a petition (accompanied by bill, House, No. 3462) of Timothy R. Madden and Daniel A. Wolf (by vote of the town) relative to the historic district of the town of Nantucket. Municipalities and Regional Government. [Local Approval Received.]

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act amending the Nantucket Historic District Commission Act.

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

Section 1. An Act Establishing An Historic District Commission For The Town Of Nantucket And Establishing Nantucket Island As The Historic District (being chapter 395 of the Acts of 1970, as amended by chapter 708 of the Acts of 1972, chapter 300 of the Acts of 1984, as amended by chapter 291 of the Acts of 1985, as amended by chapter 735 of the Acts of 1987, as amended by chapter 333 of the Acts of 1989, as amended by chapter 314 of the Acts of 1990, as amended by chapter 193 of the Acts of 1998, as amended by chapter 57 of the Acts of 2000, as amended by chapter 90 of the Acts of 2002, as amended by chapter 90 of the Acts of 2010, referred to collectively as the "HDC Act") is hereby amended as follows:

a. by striking out the definition of " structure" in Section 2A and inserting in its place thereof the following definition:-

"Structure" a combination of materials, other than a building, that includes, a vending machine, sign, fence, terrace, walk, driveway and object that needs a gravel or cement footing, or a fastener to keep it in place.

b. By adding a new Section 8(a) entitled "Applicant's Rights" as follows:

HDC members shall act with proper conduct and ethics based on the rules and regulations adopted by the Historic District Commission pursuant to Section 8 of the HDC Act.

If an applicant believes that a member or members of the HDC have violated such rules and regulations, the applicant may use the procedure set forth in Section 5.4 of the Town's Charter entitled "Recall of Elected Officials".