

**HOUSE . . . . . No. 1154**

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**The Commonwealth of Massachusetts**

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**In the Year Two Thousand Nine**  
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An Act to authorize the Dennis Water District to construct and maintain a system for sewage collection, treatment, and discharge..

*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. The Dennis Water District in the Town of Dennis is hereby granted the  
2 same authority to construct and maintain a sewage collection, treatment and discharge system  
3 within the limits of said District that cities and towns now have by law; and the provisions of the  
4 General Laws relative to sewage collection, treatment, and discharge systems and acts in  
5 amendment thereof, shall so far as applicable apply to said District. The authority of the Town  
6 of Dennis to construct and maintain a sewage collection, treatment, and discharge system within  
7 the limits of said District shall be suspended while this act is in force.

8           SECTION 2. The Water Commissioners of said District shall have the same powers and  
9 authority in relation to a sewage collection, treatment, and discharge system within the limits of  
10 said District as are given by law to the selectmen and/or sewer commissioners of towns.

11           SECTION 3. Said District may, at a meeting called for the purpose, vote to raise by  
12 taxation, or borrow money to carry out the provisions of this act, subject to the restrictions and

13 limitations imposed by law upon towns; and all money so raised or borrowed shall be expended  
14 by said Board of Water Commissioners for the purposes prescribed by the vote of the District.

15 SECTION 4. Whenever a tax is duly voted by the District for the purposes of this act,  
16 the clerk shall send a certified copy of the vote to the assessors of said Town, who shall assess  
17 the same on property within the District in the same manner in all respects in which town taxes  
18 are required by law to be assessed.

19 SECTION 5 Said Board of Water Commissioners shall, subject to the direction of said  
20 District, lay, make, and maintain therein all such sewers, treatment systems, and disposal works  
21 as they adjudge to be necessary for the public convenience or the public and environmental  
22 health; and for these purposes said District may take, by purchase or otherwise, as herein  
23 provided, any land in the said Town which in the opinion of said Board of Water Commissioners  
24 may be necessary therefore. Also, for the purposes aforesaid, the District, acting by and through  
25 its Board of Water Commissioners may contract with any municipality, or with any wastewater  
26 company, or with any wastewater district, for whatever wastewater collection, distribution or  
27 treatment may be required

28 SECTION 6 Said Board of Water Commissioners may, subject to the direction of said  
29 District, take by eminent domain under chapter 79 or chapter 80A of the General Laws, or  
30 acquire by lease, purchase or otherwise, land within the Town of Dennis for the purposes of  
31 public health, environmental health and public convenience, and for said purposes may take as  
32 aforesaid, or acquire by purchase or otherwise, and hold, all lands, rights of way and other  
33 easements necessary for collecting, treating and discharging of wastewater and for conveying the  
34 same to any part of the Town

35           SECTION 7   Said Board of Water Commissioners shall keep maps and plans of all  
36 sewer, treatment and discharge facilities constructed by them, and on the completion of any  
37 sewer, treatment and discharge facilities shall ascertain and certify the whole expense of the  
38 same and cause a record thereof to be made and kept. It may then assess the estates benefited  
39 thereby in the manner provided in chapter eighty of the General Laws and acts in amendment  
40 thereof. Said assessments shall be collected in the same manner as taxes upon real estate.

41           SECTION 8. All sewer, treatment and discharge facilities constructed by said Board of  
42 Water Commissioners shall be the property of said District, and shall be under the charge and  
43 control of said Board, which shall have authority to regulate the use of the same and to prescribe  
44 the mode in which the same shall be entered by particular sewers from lands which have been  
45 assessed for the expense of their construction. No person shall be allowed to enter or discharge  
46 into a public sewer from any particular sewer connecting any land which has not been assessed  
47 for the expense of the construction of such public sewer, except by leave of said Board and on  
48 payment of such compensation as it shall determine. All such particular sewers entering any  
49 public sewer shall be under the exclusive charge and control of said Board, which shall have  
50 authority to make and execute orders concerning the same as if the same were constructed by  
51 said Board under this act.

52           SECTION 9. This act shall take effect whenever the same shall have been approved and  
53 adopted by a majority of the legal voters of said District present and voting at a meeting duly  
54 called for that purpose