

HOUSE No. 2001

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

An Act relative to snow and ice removal..

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

1 Chapter 85 is hereby amended by inserting after Section 5 the following sections:

2 Section 5A: The general court determines that it is desirable for cities and towns to enact
3 ordinances or bylaws requiring abutters to remove snow or ice from sidewalks and that it is
4 undesirable for any person to be found liable for damages due to his or her efforts in the removal
5 of snow or ice from such sidewalks pursuant to such an ordinance or bylaw, except for acts
6 which amount to clear wrongdoing, as described in Chapter 85, Section 5B.

7 Section 5B: Any person who is required by any municipal ordinance or bylaw to remove
8 snow or ice from sidewalks, or any agent of or other person engaged by any such person, who
9 removes or attempts to remove snow or ice from sidewalks abutting the property shall not be
10 liable for any personal injuries allegedly caused by the snowy or icy condition of the sidewalk
11 resulting from his or her acts or omissions unless such acts or omissions amount to gross
12 negligence.