

HOUSE No. 2013

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

An Act relative to private road maintenance ..

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. Chapter 184 of the General Laws shall be amended by adding after Section
2 23A, the following new section:

3 Section 23B. “Notwithstanding any general or special law to the contrary, the obligation
4 of property owners in private subdivisions to maintain private roads, bridges, beaches or other
5 common areas shall be deemed to be a servitude and not a condition or restriction whether such
6 obligation is imposed by a recorded document or otherwise.”

7 SECTION 2. This act shall go into effect upon its passage.