

HOUSE No. 3473

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

An Act Authorizing the town of Fairhaven to assess as a betterment to those affected properties, the costs incurred by the Town to provide design and construction data to the Federal Emergency Management Agency in order to credit the Fairhaven portion of the New Bedford hurricane barrier with protection of certain areas of the Town of Fairhaven from flood hazard..

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 Town may
2 assess as a betterment to the those affected properties, the costs incurred by the Town to provide
3 design and construction data to the Federal Emergency Management Agency in order to credit
4 the Fairhaven portion of the New Bedford hurricane barrier with protection of certain areas of
5 the Town of Fairhaven from flood hazard. The costs incurred by the Town to provide such data
6 shall include all engineering, legal and other professional fees, and all other expenses related
7 thereto.

8 SECTION 2. The betterment shall be assessed to each affected parcel on the basis of the
9 assessed value of the improvements on such parcel, and in the case of unimproved, buildable
10 parcels on the basis of the aggregate value of improvements upon all improved parcels assessed
11 hereunder, expressed as a per square foot average of the aggregate improved land area assessed
12 hereunder.

13 SECTION 3. This act shall take effect upon its passage without further ratification by the
14 Town.