

**SENATE . . . . . No. 2239**

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**The Commonwealth of Massachusetts**

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**In the Year Two Thousand Nine**  
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An Act Text of the Senate amendment (Senator Pacheco) to the House Bill relative to the Wareham Fire District H1976.

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

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SECTION 1. The Wareham Fire District in the town of Wareham, hereinafter the district, shall have exclusive right, privilege and franchise to supply water for extinguishing fires and for domestic, manufacturing and other purposes to the inhabitants of the town of Wareham within the district established by chapter 178 of the acts of 1907 and chapter 106 of the acts of 2000. A person, corporation, municipality, district or entity, except for the owner or owners of a parcel or parcels of land containing at least 100 contiguous acres located in the town of Wareham, shall not create or operate a public water system within the territory of the district or supply water to

12 the inhabitants within the district other than for personal domestic use unless otherwise  
13 authorized.

14 SECTION 2. Notwithstanding any general or special law to the contrary, the district may  
15 supply water for extinguishing fires and for domestic, manufacturing, and other purposes to  
16 individuals, corporations, municipalities, districts, and other entities, without limitation, outside  
17 of the district established by said chapter 178 of the acts of 1907 and said chapter 106 of the acts  
18 of 2000.

19 SECTION 3. The district may contract with any person, corporation, municipality,  
20 district and other entity for the supply of water outside of the district and may extend its pipes for  
21 that purpose, under the direction of the selectmen of the town or mayor of the city where the  
22 pipes are to be located, through the streets and highways of towns and cities lying outside the  
23 district established by said chapter 178 of the acts of 1907 and said chapter 106 of the acts of  
24 2000. The district may fix and collect rates for the use of the water, and may discontinue and  
25 shut off the water for the non-payment thereof and for violation of the terms of any contract  
26 made in accordance with this section.

27 SECTION 4. Notwithstanding sections 2 and 3, the district shall not supply water outside  
28 its territory if doing so impairs the district's ability to provide adequate supply of water for  
29 extinguishing fires and for domestic, manufacturing, and other purposes to itself or the  
30 inhabitants of the town of Wareham.

31 SECTION 5. Specific statutory powers granted to the district by said chapter 178 of the  
32 acts of 1907 and said chapter 106 of the acts of 2000 and not specifically mentioned in this act

33 are hereby expanded to the extent necessary to permit the district to supply water outside of its  
34 territory in accordance with this act.