

HOUSE No. 578

The Commonwealth of Massachusetts

PRESENTED BY:

Cleon H. Turner

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to private road maintenance.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Cleon H. Turner</i>	<i>1st Barnstable</i>	<i>1/18/2011</i>

HOUSE No. 578

By Mr. Turner of Dennis, a petition (accompanied by bill, House, No. 578) of Cleon H. Turner for legislation to further regulate the maintenance of roads, bridges, beaches and other common areas in private subdivisions. Municipalities and Regional Government.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 2013 OF 2009-2010.]

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

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.