

SENATE No. 118

The Commonwealth of Massachusetts

PRESENTED BY:

Michael J. Rodrigues

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 to safeguard municipal permitting.

PETITION OF:

NAME:

DISTRICT/ADDRESS:

Michael J. Rodrigues

First Bristol and Plymouth

Bruce E. Tarr

First Essex and Middlesex

SENATE No. 118

By Mr. Rodrigues, a petition (accompanied by bill, Senate, No. 118) of Michael J. Rodrigues and Bruce E. Tarr for legislation to safeguard municipal permitting. Community Development and Small Businesses.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 76 OF 2013-2014.]

The Commonwealth of Massachusetts

**In the One Hundred and Eighty-Ninth General Court
(2015-2016)**

An Act to safeguard municipal permitting.

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 6 of Chapter 40A is hereby amended by striking the second paragraph and
2 inserting the following new paragraph:-

3 A zoning ordinance or by-law shall provide that construction or operations under a
4 building permit shall conform to any subsequent amendment of the ordinance or by-law unless
5 the use or construction is commenced within a period of not more than twelve months after the
6 issuance of the permit and, in cases involving construction, unless such construction is continued
7 through to completion as continuously and expeditiously as is feasible. Construction or
8 operations under a special permit or site plan approval shall conform to any subsequent
9 amendment of the zoning ordinance or by-law or of any other local land use regulations unless
10 the use or construction is commenced within a period of two years after the issuance of the

11 permit and, in cases involving construction, unless such construction is continued through to
12 completion as continuously and expeditiously as is feasible. For the purpose of the prior
13 sentence, construction involving the redevelopment of previously disturbed land shall be deemed
14 to have commenced upon substantial investment in site preparation or infrastructure
15 construction, and construction of developments intended to proceed in phases shall proceed
16 expeditiously, but not continuously, among phases.