

HOUSE No. 1086

The Commonwealth of Massachusetts

PRESENTED BY:

William C. Galvin, (BY REQUEST)

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 online access to municipal ordinances and by-laws.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>John T. Mahoney</i>		<i>1/19/2017</i>

HOUSE No. 1086

By Mr. Galvin of Canton (by request), a petition (accompanied by bill, House, No. 1086) of John T. Mahoney relative to online access of municipal ordinances and by-laws by communities. Municipalities and Regional Government.

The Commonwealth of Massachusetts

**In the One Hundred and Ninetieth General Court
(2017-2018)**

An Act relative to online access to municipal ordinances and by-laws.

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

1 Chapter 40 of the General Laws is hereby amended by inserting after section 32B the
2 following section:-

3 Section 32C. Each city and town in the commonwealth shall make available online, on
4 the city or town website, a complete and updated version of the city or town ordinances and by-
5 laws, including the zoning ordinances and by-laws. The online ordinances and by-laws shall be
6 in a format that is easily accessible to the public at no charge.

7 Each city and town in the commonwealth shall also make a complete and updated version
8 of the city or town ordinances and by-laws, including the zoning ordinances and by-laws
9 available for viewing upon request by the public at the Principal Municipal building. The
10 municipality may elect to provide access to the public in either a paper format or a format
11 viewable by an electronic device located within the principal municipal building. The

12 Municipality shall provide paper copies of ordinances as requested and may charge copying fees
13 as allowed by law.

14 Any citizen of the Commonwealth alleging a violation of this section may file a written
15 complaint with the city or town requesting compliance. The city or town shall, within 10
16 business days of receipt of a complaint, send written notification to the complainant and the
17 attorney general of proof of compliance or any remedial action taken to bring the city or town
18 into compliance. If the city or town does not comply with this section and notify the
19 complainant and the attorney general of such compliance within 10 business days after receipt of
20 the complaint, the complainant may file a written complaint with the attorney general, including
21 the original written complaint filed with the city or town. Upon the receipt of a complaint
22 pursuant to this section, the attorney general shall determine, in a timely manner, whether there
23 has been a violation of this section. The attorney general may, and before imposing any civil
24 penalty on a municipality shall, hold a hearing on any such complaint. Upon a finding of a
25 violation of this section and a failure to take remedial action within 10 business days of receipt of
26 the complaint, the attorney general shall impose a civil penalty of not more than \$1,000 for each
27 such violation, and shall issue an order to compel immediate and future compliance with this
28 section. The attorney general may, without holding additional hearings, impose additional civil
29 penalties of not more than \$1,000 for each additional 10 day period after the issuance of such
30 order unless and until the city or town is found to be in compliance with this section.