

HOUSE No. 1764

The Commonwealth of Massachusetts

PRESENTED BY:

Daniel Cahill

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 zoning voting thresholds.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Daniel Cahill</i>	<i>10th Essex</i>	<i>1/18/2019</i>
<i>Michael J. Soter</i>	<i>8th Worcester</i>	<i>1/30/2019</i>
<i>Marjorie C. Decker</i>	<i>25th Middlesex</i>	<i>2/1/2019</i>
<i>Sean Garballey</i>	<i>23rd Middlesex</i>	<i>2/1/2019</i>
<i>Mike Connolly</i>	<i>26th Middlesex</i>	<i>2/1/2019</i>

HOUSE No. 1764

By Mr. Cahill of Lynn, a petition (accompanied by bill, House, No. 1764) of Daniel Cahill and others relative to zoning voting thresholds. Municipalities and Regional Government.

The Commonwealth of Massachusetts

In the One Hundred and Ninety-First General Court
(2019-2020)

An Act relative to zoning voting thresholds.

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 X – Section 5 of chapter 40A of the General Laws, as appearing in the 2016
2 Official Edition, is hereby amended by striking out the fifth paragraph and inserting in place
3 thereof the following paragraph:-

4 No zoning ordinance or by-law or amendment thereto shall be adopted or changed except
5 by a two-thirds vote of all the members of the town council, or of the city council where there is
6 a commission form of government or a single branch, or of each branch where there are two
7 branches, or by a two-thirds vote of a town meeting. Except that the voting majority may be
8 changed to a range between a simple majority and a two-thirds majority vote; such change shall
9 be made by the voting majority then in effect and shall not become effective until 6 months have
10 elapsed after the vote. However, if in a city or town with a council of fewer than twenty-five
11 members there is filed with the clerk prior to final action by the council a written protest against
12 such change, stating the reasons duly signed by owners of twenty per cent or more of the area of
13 the land proposed to be included in such change or of the area of the land immediately adjacent

- 14 extending three hundred feet therefrom, no such change of any such ordinance shall be adopted
- 15 except by a two-thirds vote of all members.