

HOUSE No. 3636

The Commonwealth of Massachusetts

PRESENTED BY:

Timothy R. Whelan and Julian Cyr

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 the town of Dennis waterways, dredge, and maintenance program.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Timothy R. Whelan</i>	<i>1st Barnstable</i>	<i>1/16/2019</i>
<i>Julian Cyr</i>	<i>Cape and Islands</i>	<i>1/23/2019</i>

HOUSE No. 3636

By Representative Whelan of Brewster and Senator Cyr, a joint petition (accompanied by bill, House, No. 3636) of Timothy R. Whelan and Julian Cyr (by vote of the town) relative to the town of Dennis waterways, dredge, and maintenance program. Municipalities and Regional Government. [Local Approval Received.]

The Commonwealth of Massachusetts

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

An Act relative to the town of Dennis waterways, dredge, and maintenance program.

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

1 ARTICLE 16. To see if the Town will vote to amend the General Bylaws, Article X of
2 the Town Code, Waterways Dredge and Maintenance Program Receipts Reserved Capital
3 Improvements Fund, as follows (new language shown in bold); provided that in addition to the
4 requirements of General Laws Chapter 40, Section 32, this bylaw amendment shall not take
5 effect until the Home Rule Petition amending Chapter 118 of the Acts of 2008 approved in
6 Article 16 of the October 16, 2018 Special Town Meeting is adopted by the General Court and
7 signed into law:

8 § 19-13. Authority to increase deposit.

9 In accordance with Chapter 118 of the Acts of 2008, the Board of Selectmen is hereby
10 authorized to increase the portion of the revenue derived from the Waterways fees to be
11 deposited into said fund as follows:

- 12 A. One hundred percent of the transient fees.
- 13 B. Fifty percent of the parking fees.
- 14 C. Fifty percent of the non-resident slip holders fees.
- 15 D. Fifty percent of the resident slip holders fees.
- 16 E. Sixty percent of private dock and rack fees.
- 17 F. One hundred percent of Waterways Special Use permit fees;
- 18 or to take any other action relative thereto.

19 MOTION. On motion of Board of Selectmen Member Robert Mezzadri, duly seconded,
20 it was unanimously voted to amend the General Bylaws, Article X of the Town Code,
21 Waterways Dredge and Maintenance Program Receipts Reserved Capital Improvements Fund, as
22 follows; provided that in addition to the requirements of General Laws Chapter 40, Section 32,
23 this bylaw amendment shall not take effect until the Home Rule Petition amending Chapter 118
24 of the Acts of 2008 approved in Article 16 of the October 16, 2018 Special Town Meeting is
25 adopted by the General Court and signed into law:

26 § 19-13. Authority to increase deposit.

27 In accordance with Chapter 118 of the Acts of 2008, the Board of Selectmen is hereby
28 authorized to increase the portion of the revenue derived from the Waterways fees to be
29 deposited into said fund as follows:

- 30 A. One hundred percent of the transient fees.

- 31 B. Fifty percent of the parking fees.
- 32 C. Fifty percent of the non-resident slip holders fees.
- 33 D. Fifty percent of the resident slip holders fees.
- 34 E. Sixty percent of private dock and rack fees.
- 35 F. One hundred percent of Waterways Special Use permit fees;