

**HOUSE . . . . . No. 3908**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

***Sarah K. Peake***

*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 water connections in the town of Eastham.**

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Sarah K. Peake</i>	<i>4th Barnstable</i>	<i>6/17/2019</i>
<i>Julian Cyr</i>	<i>Cape and Islands</i>	<i>6/18/2019</i>

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By Ms. Peake of Provincetown, a petition (accompanied by bill, House, No. 3908) of Sarah K. Peake and Julian Cyr (by vote of the town) that the town of Eastham be authorized to establish a water connection assistance program for property owners. Municipalities and Regional Government. [Local Approval Received.]

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**The Commonwealth of Massachusetts**

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

An Act relative to water connections in the town of Eastham.

*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. The town of Eastham is hereby authorized to establish a water connection  
2 assistance program for property owners in the town in order to assist such owners to connect to  
3 the town's water distribution system. Said program shall be consistent with the terms and  
4 conditions as are provided for in chapter 111, section 127B½ of the General Laws.

5           SECTION 2. Any costs incurred under the provisions of this section may be funded by an  
6 appropriation or issuance of debt, provided that any debt incurred shall be subject to the  
7 provisions of chapter 44 and shall not exceed 20 years.

8           SECTION 3. Any appropriation or borrowing by the town for purposes contained within  
9 this section shall not be included for the purpose of computation of the levy or borrowing limits  
10 otherwise imposed upon the town by the General Laws.

11 SECTION 4. An owner may petition the board of selectmen or other appropriate  
12 authority in charge of the town's water distribution system to enter into an agreement, subject to  
13 appropriation, authorizing the board of selectmen or other authority to cause the premises to be  
14 connected to the town's water distribution system. An owner who enters into such an agreement  
15 shall be responsible for all expenses incurred by the town, directly or indirectly, for such  
16 connection. A notice of such agreement shall be recorded as a betterment and be subject to the  
17 provisions of chapter 80 relative to the apportionment, division, reassessment and collection of  
18 assessment, abatement and collections of assessments, and to interest; provided, however, that  
19 for the purposes of this section, such lien shall take effect by operation of law on the day  
20 immediately following the due date of such assessment or apportioned part of such assessment  
21 and such assessment may bear interest at a rate determined by the town treasurer by agreement  
22 with the owner at the time such agreement is entered into between the board of selectmen and the  
23 property owner. In addition to the remedies available under chapter 80, the property owner shall  
24 be personally liable for the repayment of the total costs incurred by the town under this section;  
25 provided, however, that upon assumption of such personal obligation to a purchaser or other  
26 transferee of all of the original owner's interest in the property at the time of conveyance and the  
27 recording of such assumption, the owner shall be relieved of such personal liability.

28 SECTION 5. The board of selectmen may enact regulations to carry out the water  
29 connection assistance program that are within the general scope and intent of the act.

30 SECTION 6. This act shall take effect upon its passage.