

**HOUSE . . . . . No. 4637**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

***Joseph D. McKenna and Ryan C. Fattman***

*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 authorizing the town of Webster to make permanent improvements to private ways and assess betterments therefor.

PETITION OF:

| NAME:                    | DISTRICT/ADDRESS:            | DATE ADDED:      |
|--------------------------|------------------------------|------------------|
| <i>Joseph D. McKenna</i> | <i>18th Worcester</i>        | <i>3/25/2020</i> |
| <i>Ryan C. Fattman</i>   | <i>Worcester and Norfolk</i> | <i>3/25/2020</i> |

**HOUSE . . . . . No. 4637**

By Representative McKenna of Webster and Senator Fattman, a joint petition (accompanied by bill, House, No. 4637) of Joseph D. McKenna and Ryan C. Fattman (by vote of the town) that the town of Webster be authorized to make permanent improvements to private ways and assess betterments in said town. Municipalities and Regional Government. [Local Approval Received.]

**The Commonwealth of Massachusetts**

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

An Act authorizing the town of Webster to make permanent improvements to private ways and assess betterments therefor.

*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. Notwithstanding section 6N of chapter 40 of the General Laws or any other  
2 general or special law to the contrary, the town of Webster may: (1) make permanent repairs and  
3 improvements to the private ways within the corporate limits of the Town, including, but not  
4 limited to, improvements to grading, drainage, paving and resurfacing; (2) appropriate and  
5 expend funds therefor; (3) assess betterments, and (4) adopt bylaws to carry out the provisions  
6 hereof.

7 SECTION 2. Notwithstanding any general or special law to the contrary, the town of  
8 Webster may borrow, from time to time, such sums as may be necessary to make repairs and  
9 improvements to private ways within the town. Each authorized issue shall be payable within  
10 twenty years from its date. Indebtedness incurred under this act shall not be included in

11 determining the limit of indebtedness of the town under section 10 of chapter 44 of the General  
12 Laws and, except as provided herein, shall otherwise be subject to said chapter 44.

13 SECTION 3. The cost of the repairs and improvements and the borrowing authorized by  
14 this act shall be apportioned to and among the benefited property owners as a betterment  
15 pursuant to chapter 80 of the General Laws. The board of assessors, in consultation with the  
16 board of selectmen, may set the number of years for which a betterment may be assessed, which  
17 may be for fewer than twenty years for the private way improvements authorized by this act,  
18 notwithstanding the request of the owner of the land assessed. Except as otherwise provided  
19 herein, chapter 80 of the General Laws shall apply to the assessments authorized in this act with  
20 respect to the assessment, appointment, division, interest, abatement and collection of such  
21 assessments. The town shall record appropriate orders to secure payment in the same manner as  
22 it acquires a lien for a betterment assessment pursuant to said chapter 80.

23 SECTION 4. This act shall take effect upon its passage.