HOUSE

. No. 4637

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:
Joseph D. McKenna	18th Worcester	3/25/2020
Ryan C. Fattman	Worcester and Norfolk	3/25/2020

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:

SECTION 1. Notwithstanding section 6N of chapter 40 of the General Laws or any other

general or special law to the contrary, the town of Webster may: (1) make permanent repairs and

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

expend funds therefor; (3) assess betterments, and (4) adopt bylaws to carry out the provisions

6 hereof.

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SECTION 2. Notwithstanding any general or special law to the contrary, the town of

Webster may borrow, from time to time, such sums as may be necessary to make repairs and

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

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

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

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