

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

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**The Commonwealth of Massachusetts**

PRESENTED BY:

*Alan Silvia*

*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 requiring a performance bond prior to demolition.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Alan Silvia</i>	<i>7th Bristol</i>
<i>Peter Capano</i>	<i>11th Essex</i>
<i>Carole A. Fiola</i>	<i>6th Bristol</i>
<i>Brian M. Ashe</i>	<i>2nd Hampden</i>
<i>Paul A. Schmid, III</i>	<i>8th Bristol</i>

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

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By Mr. Silvia of Fall River, a petition (subject to Joint Rule 12) of Alan Silvia and others for legislation to authorize cities and towns to require performance bonds prior to the demolition, renovation, rehabilitation or other alterations of buildings or other structures. Municipalities and Regional Government.

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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 requiring a performance bond prior to demolition.

*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 54 of chapter 40 of the General Laws, as appearing in the 2016 Official Edition,  
2 is hereby amended by inserting after the first paragraph the following paragraph:-

3           Prior to the issuance of a permit or license for: (1) the demolition, renovation,  
4 rehabilitation or other alteration of a building or other structure; and (2) the removal of debris  
5 from the resulting from such demolition, renovation, rehabilitation or alteration; a person  
6 performing such demolition, renovation, rehabilitation, alteration or removal shall furnish the  
7 municipality granting the permit a performance bond in such amounts as the city or town deems  
8 necessary in order to insure the faithful performance of such work and observance of, and  
9 compliance with, the environmental laws and regulations of the commonwealth whereby a  
10 requisite financial responsibility is imposed on such applicant or recipient of the demolition or  
11 other construction permit in order to insure recourse for the financial harm sustained by reason of  
12 any such failure to comply with the environmental protection laws of the commonwealth. For the

13 purposes of this section the term "performance bond" means an approved form of security that  
14 guarantees the applicant's complete compliance with provisions of this paragraph and the term  
15 "person" shall mean any association, corporation, limited liability company, fiduciary,  
16 individual, joint venture, partnership, sole proprietorship or any other legal entity.