

**Chap. 347.** AN ACT DESIGNATING THE METROPOLITAN DISTRICT COMMISSION PARK LAND IN THE TOWN OF NEEDHAM AS CUTLER PARK, IN HONOR OF LESLIE B. CUTLER OF NEEDHAM.

*Be it enacted, etc., as follows:*

SECTION 1. The metropolitan district commission park land in the town of Needham, now known as the metropolitan district commission water lands and being situated in the general area bounded by Great Plain avenue, state highway Route 128, Kendrick street and the Charles river, shall be known and designated as Cutler Park, in honor of Leslie B. Cutler of Needham. A suitable marker bearing said designation shall be erected at the main entrance to the park by said commission.

SECTION 2. This act shall take effect upon its passage.

*Approved April 16, 1962.*

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**Chap. 348.** AN ACT ESTABLISHING THE OFFICE OF CODE ENFORCEMENT INSPECTOR IN THE CITY OF MALDEN.

*Be it enacted, etc., as follows:*

SECTION 1. There is hereby established in the city of Malden the office of code enforcement inspector, which office shall be classified under chapter thirty-one of the General Laws, provided, however, that the provisions of section five of said chapter thirty-one shall not apply to such office. The mayor and city council of said city shall appoint and remove such officer subject to said chapter thirty-one, and shall fix his compensation. The code enforcement inspector shall inspect real estate in the city of Malden in accordance with the codes which he shall be delegated to enforce and shall make and maintain proper records of violations of such codes, and shall perform such other appropriate duties as may be required. In connection with such inspections said inspector or his agent may enter, examine or survey at any reasonable time such places as may be necessary in the furtherance of his official duties. Said inspector may, subject to appropriation, employ clerical assistance and assistant inspectors.

SECTION 2. This act shall take effect upon its acceptance by the city of Malden.

*Approved April 16, 1962.*

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**Chap. 349.** AN ACT AUTHORIZING THE TOWN OF WEYMOUTH TO PAY A SUM OF MONEY TO THOMAS J. DONELAN FOR DAMAGES RESULTING FROM CERTAIN LAND TAKING BY SAID TOWN.

*Be it enacted, etc., as follows:*

SECTION 1. Notwithstanding any provision of law to the contrary and in order to discharge a moral obligation, the town of Weymouth is hereby authorized to pay to Thomas J. Donelan the sum of eight hundred dollars as damages by reason of the taking by said town by eminent domain for the widening of Commercial street in said town of a parcel of land on said street owned by said Thomas J. Donelan, and shown as Lot 1, Block 203, Sheet 16 on the Town of Weymouth Assessment Plan, the time having expired within which a petition could legally be brought for the assessment of damages because of such land taking.

SECTION 2. No payment shall be made hereunder until there has been filed with the board of selectmen of said town an agreement signed by said Thomas J. Donelan that the amount, if any, paid or to be paid for legal or other services rendered in connection with the passage of this act shall not exceed ten per cent of said sum.

SECTION 3. This act shall take effect upon its passage.

*Approved April 17, 1962.*

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**Chap. 350.** AN ACT REQUIRING THE DIRECTOR OF CIVIL DEFENSE TO ESTABLISH STANDARDS FOR FALLOUT SHELTERS AND EXEMPTING SHELTERS CONSTRUCTED IN ACCORDANCE THEREWITH FROM ZONING LAWS AND CERTAIN PROVISIONS OF BUILDING CODES.

*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is to facilitate further the immediate construction of shelters as protection against the effects of enemy attack, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public safety.

*Be it enacted, etc., as follows:*

Chapter 639 of the acts of 1950 is hereby amended by inserting after section 2 the following section: —

*Section 2A.* The director shall establish standards for the construction of fallout shelters designed to protect the members of a family unit from the effects of enemy attack and shall file the same with the inspector of buildings in each city and town. As used in this section the term "family unit" shall mean a group of persons living together and sharing at least in part their living quarters and accommodations.

A fallout shelter built in accordance with such standards in any location upon any residential property shall be deemed to be an accessory use to such property and, as long as it shall be used exclusively as a fallout shelter, shall not be deemed to violate any provisions of any zoning ordinance or by-law. Such a shelter shall not be deemed to violate the provisions of any building code with respect to the materials or method of construction used, but shall be subject to all administrative provisions of any applicable building code, including, without limiting the generality of the foregoing, any provisions relating to application for and issuance of permits, fees, inspection, appeals, penalties and enforcement. The inspector of buildings of the city or town where any such fallout shelter is to be built may waive any provisions of any applicable building code requiring the employment of a licensed builder, provided, he is satisfied that the proposed shelter can be constructed by an unlicensed person without serious danger to himself or others.

Said director shall also establish standards for shelters other than those designed to protect members of a family unit, and inspectors of buildings may grant deviations from the applicable building codes pending the establishment of such standards. *Approved April 17, 1962.*