

and provided, further, that such funds shall be used only in strict accordance with the provisions of section twenty-two B of chapter forty of the General Laws.

D. The Springfield off-street parking commission shall maintain proper accounting and financial records of all transactions, and provide annual financial statements. An annual report of all activities shall be made to the municipal council.

SECTION 10. The Springfield off-street parking commission is authorized to exercise all powers necessary, convenient or desirable to carry out the purposes of this act.

SECTION 11. The land or parking facilities acquired, constructed, maintained or operated under the provisions of this act shall be deemed to be so acquired, constructed, maintained and operated by the city of Springfield in its governmental capacity, and the city shall not be liable for any injury, loss or damage suffered by any person on or about any property so acquired, constructed, maintained or operated.

SECTION 12. Nothing in this act shall be construed as giving the Springfield off-street parking commission power to supersede the traffic commission or the police department of the city of Springfield in the regulation and enforcement of parking on the streets of Springfield.

SECTION 13. If any section, provision or clause of this act shall be declared invalid or inapplicable to any person or circumstance, such invalidity or inapplicability shall not be construed to affect the portions not so held or persons or circumstances not so affected. All laws or portions of laws inconsistent with the policy and provisions of this act are hereby repealed to the extent of such inconsistency in their applications to the provisions of automobile parking facilities authorized by this act.

SECTION 14. This act shall be submitted for acceptance to the qualified voters of the city of Springfield at the next biennial state election in the form of the following question, which shall be placed upon the official ballot to be used in said city at said election:—“Shall an act passed by the general court in the year nineteen hundred and fifty-two, authorizing the city of Springfield to establish an Off-Street Parking Commission for the purpose of establishing public off-street automobile parking facilities and charging the public a reasonable fee for the use of such facilities, be accepted by this city?” If a majority of the voters voting thereon vote in the affirmative in answer to said question, then this act shall take full effect, but not otherwise.

*Approved June 12, 1952.*

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*Chap. 437* AN ACT RELATIVE TO THE OFFICE OF SPECIAL JUDGE OF PROBATE AND INSOLVENCY FOR HAMPSHIRE COUNTY.

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

Notwithstanding the provisions of section eight of chapter four hundred and eight of the acts of nineteen hundred and

thirty-seven, upon the death, resignation or removal of the special judge of probate and insolvency for Hampshire county, the office which he held shall not be abolished.

*Approved June 12, 1952.*

AN ACT RELATIVE TO ZONING ORDINANCES AND BY-LAWS. *Chap. 438*

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

Section 26 of chapter 40 of the General Laws, as appearing in section 1 of chapter 269 of the acts of 1933, is hereby amended by inserting after the word "uses", in line 15, the words: — ; provided, that no such ordinance or by-law shall so regulate the non-use of non-conforming land used for agriculture, horticulture or floriculture where such non-use has existed for less than five years, — so as to read as follows: — *Section 26.* Such an ordinance or by-law or any amendment thereof shall not apply to existing buildings or structures, nor to the existing use of any building or structure, or of land to the extent to which it is used at the time of adoption of the ordinance or by-law, but it shall apply to any change of use thereof and to any alteration of a building or structure when the same would amount to reconstruction, extension or structural change, and to any alteration of a building or structure to provide for its use for a purpose or in a manner substantially different from the use to which it was put before alteration, or for its use for the same purpose to a substantially greater extent. Such an ordinance or by-law may regulate non-use of non-conforming buildings and structures so as not to unduly prolong the life of non-conforming uses; provided, that no such ordinance or by-law shall so regulate the non-use of non-conforming land used for agriculture, horticulture or floriculture where such non-use has existed for less than five years. A building, structure or land used or to be used by a public service corporation may be exempted from the operation of such an ordinance or by-law if, upon petition of the corporation, the department of public utilities shall, after public notice and hearing, decide that the present or proposed situation of the building, structure or land in question is reasonably necessary for the convenience or welfare of the public.

G. L. (Ter. Ed.), 40, § 26, etc., amended.

Certain zoning ordinances and by-laws, regulated.

*Approved June 12, 1952.*

AN ACT AUTHORIZING THE TOWN OF PROVINCETOWN TO SUPPLY ITSELF AND ITS INHABITANTS WITH WATER. *Chap. 439*

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

SECTION 1. The town of Provincetown, for the purpose of supplying itself and its inhabitants with water for the extinguishment of fires and for domestic and other purposes, is hereby authorized to collect the water of the territory in the town of Truro, lying between Highland road and a line one and one quarter miles southeasterly thereof and parallel