

if, upon the facts so determined, such determination or approval is found to exceed the authority of the commission, the court shall annul such determination or approval and remand the case for further action by the commission. The remedies provided by this action shall be exclusive; but the parties shall have all rights of appeal and exception as in other equity cases. Costs shall not be allowed against the commission unless it shall appear to the court that the commission acted in bad faith or with malice in the matter from which the appeal was taken.

Costs shall not be allowed against the party appealing from such determination or approval of the commission unless it shall appear to the court that said party acted in bad faith or with malice in making the appeal to the court.

SECTION 11. *Enforcement.* — Any person who violates any of the provisions of this act shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not less than ten dollars nor more than five hundred dollars.

The superior court sitting in equity for the county of Middlesex upon the petition of the board of selectmen shall have jurisdiction to enforce the provisions of this act and the determinations, rulings and regulations issued thereunder and may restrain by injunction violations thereof and issue such other orders for relief of violations as may be required.

SECTION 12. *Changes in Historic District.* — The district established by section two may be enlarged or reduced and new districts may be created by a two-thirds vote at any regular or special town meeting called for the purpose. Prior to any such action, the planning board of the town shall hold a public hearing, duly advertised, thereon and shall report its recommendations to the town meeting.

SECTION 13. *Severability of Provisions.* — The provisions of this act shall be deemed to be severable; and in case any section, paragraph or part of this act shall be held unconstitutional by any court of competent jurisdiction, the decision of such court shall not affect or impair the validity of any other sections, paragraphs or parts of this act.

SECTION 14. This act shall take effect upon its acceptance by the town of Bedford.

*Approved February 27, 1964.*

**Chap. 119.** AN ACT AUTHORIZING THE SUBMISSION TO THE VOTERS OF THE TOWN OF DEERFIELD OF A QUESTION RELATIVE TO THE ADOPTION OF CERTAIN ZONING BY-LAWS.

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

SECTION 1. At the annual town meeting in the town of Deerfield to be held in the year nineteen hundred and sixty-five, there shall be submitted to the voters of said town the following question, which shall be placed upon the official ballot to be used for the election of town officers at said annual town meeting: — “Shall zoning by-laws be adopted in this town, in accordance with the final report of the planning board on file with the town clerk?”

SECTION 2. If a majority of the voters voting on said question vote in the affirmative, said zoning by-laws shall be deemed to be adopted in the town of Deerfield.

*Approved February 28, 1964.*