
By Mr. Tanner of Reading, petition of Alfred Calabrese for clarifying the power of cities and towns to regulate the removal of soil, loam, sand and gravel. The Judiciary.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Fifty-Nine.

AN ACT CLARIFYING THE POWER OF CITIES AND TOWNS TO REGULATE THE REMOVAL OF SOIL, LOAM, SAND AND GRAVEL.

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 1. Subsection (17) of section 21 of chapter 40 of
2 the General Laws, as last amended by chapter 352 of the acts
3 of 1951, is hereby amended by adding to the end of the first
4 sentence of said section the following:—, whether or not said
5 land has been or is being used for any such purpose at the time
6 of the passage of such ordinance or by-law.

1 SECTION 2. Subsection (17) of section 21 of chapter 40 of
2 the General Laws, as last amended by chapter 352 of the acts
3 of 1951, is hereby amended by inserting the following sentence
4 between the first and second sentences of said section:—The
5 Superior Court shall have jurisdiction in equity to compel
6 compliance with any ordinance or by-law made under the pro-
7 visions of this section.

1 SECTION 3. Subsection (17) of section 21 of chapter 40 of
2 the General Laws, as last amended by chapter 352 of the acts
3 of 1951, is hereby amended by adding at the end of said sub-
4 section the following sentence:—Each load of soil, loam, sand
5 or gravel removed in violation of any ordinance or by-law made
6 hereunder shall constitute a separate offence.

