

HOUSE No. 1125

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, March 21, 1928.

The committee on Ways and Means, to whom was referred the Bill authorizing certain municipalities bordering on the Charles River Basin to take water therefrom for fire protection and for cooling and condensing purposes (House, No. 1062), report that the same ought to pass with an amendment substituting therefor the accompanying bill (House, No. 1125).

For the committee,

HENRY L. SHATTUCK.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Twenty-Eight.

An Act authorizing the Metropolitan District Commission to permit Certain Municipalities Bordering on the Charles River Basin to take Water therefrom for Fire Protection and for Cooling and Condensing Purposes.

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. The metropolitan district commission,
2 after a public hearing, notice of which shall be sent to
3 the state department of public health and to all cities
4 and towns bordering on the Charles River basin, as
5 defined by chapter five hundred and twenty-four of
6 the acts of nineteen hundred and nine and acts in
7 amendment thereof and in addition thereto, subject
8 to the approval of said department of public health
9 as hereinafter provided, may grant to any of said
10 cities and towns which accept this act by vote of the
11 city council or selectmen permits to take water from
12 said basin for purposes of fire protection and of sale,
13 at such price as the municipalities may determine, to
14 manufacturing establishments within their respective
15 limits for cooling and condensing purposes. A city
16 or town receiving such a permit may construct and
17 maintain on lands owned by it all necessary works and
18 pumping stations and may lay and maintain in such
19 lands and in its streets all necessary mains and pipes,
20 and, to such extent and on such terms and conditions

21 as may be authorized in such permit, may lay said
22 mains and pipes on or in lands under the control of
23 the commission. Any permit granted hereunder shall
24 prescribe the maximum amount of water which may
25 be drawn from said basin thereunder, and the place
26 and manner of taking said water and of the return of
27 said water except such as is used for fire protection,
28 and provide for the metering of said water both at the
29 place of taking and of return, and for reimbursing the
30 commission for all expenses of supervision and in-
31 spection. Such permit shall also prescribe the loca-
32 tion, and the mode of construction and of laying, of
33 all works, mains and pipes within lands under the
34 commission's control, and such other terms and con-
35 ditions as in the commission's opinion the public in-
36 terest may require. No such permit shall be granted
37 except in such form as shall be approved by said de-
38 partment of public health, and no construction shall
39 be commenced or carried on thereunder until all plans
40 and specifications have been submitted to and ap-
41 proved by said department.

1 SECTION 2. Any such permit shall be upon the con-
2 dition that water taken thereunder for purposes other
3 than fire protection shall be supplied only to such
4 manufacturers as can use it in a system of closed
5 pipes without opening at any point within their
6 premises; that it is to be discharged through a special
7 system of outlet pipes into the basin or the canals
8 thereof in a manner approved by the commission;
9 and that no oil, refuse, or other substance which
10 would be harmful to the water in the basin shall be
11 added to the water before its return to the basin.
12 Upon violation of any condition in the permit, or if

13 in the opinion of the commission the use of water
14 under the permit impairs the quality or, except for
15 water used for fire protection, reduces the quantity
16 of the water of the basin, the commission shall revoke
17 the permit; and no new permit shall be granted unless
18 the commission finds that there is no danger of future
19 breach of condition of a permit when granted, or that
20 the quality of the water of the basin will not be im-
21 paired.

1 SECTION 3. No manufacturing establishment shall
2 be supplied with water taken from the basin under a
3 permit granted under the preceding sections until
4 proper and suitable connections have been made for
5 use of city or town water, so that, in case of revoca-
6 tion of the permit, manufacturing establishments
7 may be supplied with water for cooling and condens-
8 ing purposes from the water system of the city or
9 town, but in such case the water after use shall not
10 be discharged into the basin.

1 SECTION 4. No permit granted hereunder shall
2 authorize the taking of water from said basin to such
3 an extent as substantially to affect the maintenance
4 of the water level in said basin at the height required
5 by chapter four hundred and sixty-five of the acts of
6 nineteen hundred and three and acts in amendment
7 thereof or in addition thereto, or in quantities, or in a
8 manner, inconsistent with the purposes and provisions
9 of the laws establishing and governing the mainte-
10 nance of said basin.

1 SECTION 5. For the purpose of meeting the ex-
2 penses of constructing such works and pumping sta-

3 tions and of laying such mains and pipes, a city or
4 town receiving a permit as aforesaid may borrow
5 money, subject to the provisions of section eight of
6 chapter forty-four of the General Laws relative to the
7 establishment of a system of water supply and to the
8 extension of water mains, respectively.

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