

Chap. 170. AN ACT AUTHORIZING THE TOWN OF WAYLAND TO TRANSFER THE CARE, CUSTODY, AND CONTROL OF CERTAIN PARK LAND FROM THE PARK DEPARTMENT TO THE BOARD OF SELECTMEN, AND TO USE SAID LAND FOR OTHER THAN PARK PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. The town of Wayland is hereby authorized to transfer from its park department to its board of selectmen the care, custody and control of the following described parcel of land used by said town for park purposes, and shown as Lot A on a plan entitled "Plan of Land in Wayland, Massachusetts," Everett M. Brooks Co., C.E., dated June 20, 1958, and to use said land for other than park purposes.

Commencing at the Southeast corner of said premises, which point is one hundred forty-eight and 50/100 (148.50) feet West of Cochituate Road, Wayland, Mass.;

Thence running Westerly one hundred two and 86/100 (102.86) feet to a corner;

Thence turning and running Northwest one hundred twenty-five and 12/100 (125.12) feet to a corner;

Said last two boundaries being land of Town of Wayland;

Thence turning and running East one hundred fifty-one and 50/100 (151.50) feet to a corner;

Thence turning and running South one hundred fifteen and 50/100 (115.50) feet to a point of beginning.

Said last two boundaries by land now or formerly of the Trinitarian Congregational Church of Wayland.

Containing 14,689 square feet.

SECTION 1A. Any action taken by the town of Wayland at its annual town meeting in the current year pursuant to authority contained in section one is hereby confirmed and validated as though this act were in effect at the time of the posting of the warrant for said annual town meeting.

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

Approved March 9, 1960.

Chap. 171. AN ACT REQUIRING A CERTAIN NOTICE TO BE GIVEN IN CONNECTION WITH THE PREPARATION AND TRANSMISSION OF PAPERS SUBMITTED TO THE SUPREME JUDICIAL COURT IN APPELLATE PROCEEDINGS.

Be it enacted, etc., as follows:

The last paragraph of section 135 of chapter 231 of the General Laws is hereby amended by striking out the first sentence, as amended by chapter 109 of the acts of 1959, and inserting in place thereof the following two sentences:—When any case becomes ripe for final preparation and printing of the record for the full court of the supreme judicial court the clerk, recorder, register or other appropriate official of the court in which the case is pending shall forthwith give to the party having the obligation to cause the necessary papers hereinbefore specified to be prepared a notice by registered mail, return receipt re-

quested, stating that the case has become ripe. In order to carry any question of law from the supreme judicial court when held by a single justice of said court or from any other court to the full court of the supreme judicial court upon appeal, exception, reservation, report or otherwise as authorized by law, the party having the obligation to cause the necessary papers hereinbefore specified to be prepared shall give to the clerk, recorder, register or other appropriate official of the court in which the case is pending, within ten days after receipt of such notice, an order in writing for the preparation of such papers and copies of papers for transmission to the full court of the supreme judicial court.

Approved March 10, 1960.

Chap. 172. AN ACT TO FURTHER DEFINE AND CLARIFY THE POWERS OF LOCAL BOARDS OF HEALTH RELATIVE TO ENFORCING MINIMUM HOUSING STANDARDS AND OTHER PROVISIONS IN THE STATE SANITARY CODE.

Be it enacted, etc., as follows:

SECTION 1. Section 5 of chapter 111 of the General Laws is hereby amended by inserting after the second paragraph, as amended by chapter 522 of the acts of 1959, the following paragraph:—

Said code may provide for the demolition, removal, repair or cleaning by local boards of health of any structure which so fails to comply with the standards of fitness for human habitation or other regulations in said code as to endanger or materially impair the health or well-being of the public. Expense incurred by a local board of health shall constitute a debt due from the owner of such structure to the city or town wherein such structure is or was located. Payment of such debt may be enforced in the manner provided by and subject to the provisions of section one hundred and twenty-eight D and such debt shall constitute a lien upon the land of said owner subject to the provisions of said section.

SECTION 2. Said chapter 111 is hereby further amended by striking out section 128D, as amended by section 1 of chapter 447 of the acts of 1954, and inserting in place thereof the following section:—
Section 128D. Upon a determination by the board of health, after examination as provided in section one hundred and twenty-eight B that a building, tenement, room, cellar, mobile dwelling place or any other structure (a) is unfit for human habitation, (b) is or may become a nuisance, or (c) is or may be a cause of sickness or home accident to the occupants or to the public, it may issue a written order to the owner or occupant or any of them thereof, requiring the owner or occupant to vacate, to put the premises in a clean condition, or to comply with the housing standards set forth in section one hundred and twenty-eight B which are not complied with. The order shall be served in the same manner as is provided for the service of an order by section one hundred and twenty-four of chapter one hundred and eleven. A copy of such order shall be served upon any mortgagee of record, by sending the same by registered mail, return receipt requested. If the owner or occupant refuses to comply with such order, the board of health may cause the premises to be properly cleaned at