

By Mr. Wilber of Barnstable, petition of Bernard Wilber relative to the construction of ways and services under the subdivision control law. Urban Affairs.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Seventy-Six.

AN ACT RELATING TO WAYS CONSTRUCTED IN ACCORDANCE WITH THE SUBDIVISION CONTROL LAW.

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. Section 81U of chapter 41 of the General Laws,
2 as most recently amended by section 1 and 2 of chapter 749 of the
3 acts of 1972, is hereby further amended by adding after the eighth
4 paragraph ending with the words "which may be recorded" the
5 following paragraph: —

6 Upon completion of the construction of ways and services in a
7 subdivision in accordance with the requirements of the subdivi-
8 sion control law and the applicable rules and regulations of the
9 planning board, the city or town shall maintain such ways and
10 services and make temporary minor repairs thereto until their
11 laying out and acceptance in the manner prescribed by law.

1 SECTION 2. Section 5 of chapter 40 of the General Laws, is
2 amended by striking clause (4) and inserting in place thereof the
3 following: —

4 (4) For laying out, discontinuing, making, altering, and
5 repairing public ways and ways and services completed in
6 accordance with the provisions of the Subdivision Control Law,
7 and for materials used and labor employed thereon.

1 SECTION 3. Section 10 of chapter 39 of the General Laws, as
2 most recently amended by chapter 1 of the acts of 1964, is hereby
3 further amended by adding at the end of the first paragraph the
4 following sentence: — The selectmen shall insert in the warrant

5 for any annual or special town meeting for the purpose of
 6 acceptance all ways and services completed in accordance with
 7 the subdivision control law and applicable rules and regulations
 8 and which have been released by the planning board from any
 9 bond or deposit as prescribed in section 81U of chapter 41.