

By Mr. Moore of Hopedale, petition of Richard T. Moore and another relative to the methods of apportioning sewerage construction costs. Natural Resources and Agriculture.

**The Commonwealth of Massachusetts**

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

**AN ACT RELATIVE TO THE METHODS OF APPORTIONING SEWERAGE CONSTRUCTION COSTS.**

*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 15 of Chapter 83 of the General Laws, as  
2 most recently amended by Chapter 528 of the Acts of 1894, is  
3 hereby amended by striking all after the word "rate" in line 4 and  
4 insert the following clause: — or a rate based upon a uniform unit  
5 method.

1 SECTION 2. Said Section 15 of Chapter 83 of the General  
2 Laws is hereby further amended by inserting at the end thereof the  
3 following paragraphs: —

4 Fixed uniform rate shall be based upon the estimated average  
5 cost of all the sewers therein, according to the frontage of such land  
6 on any way in which a sewer is constructed, or according to the  
7 area of such land within a fixed depth from such way, or according  
8 to the area of such land within a fixed depth from such way, or  
9 according to both such frontage and area; but no assessment in  
10 respect to any such land, which by reason of its grade or level or  
11 any other cause cannot be drained into such sewer, shall be made  
12 until such incapacity is removed. If the assessment is according to  
13 the area within such fixed depth, the lien therefor shall attach to  
14 parcel assessed.

15 Uniform unit method of sewerage construction cost apportion-  
16 ment shall be deemed to mean that sewerage construction costs  
17 shall be divided between the total number of existing and potential  
18 sewer units to be served after having proportioned the cost of

19 special and general benefit facilities. Each sewer unit shall be equal  
20 to a single family residence. Potential sewer units shall be  
21 calculated on the basis of zoning then in effect. Existing and  
22 potential multifamily, commercial, industrial and semipublic uses  
23 shall be converted into sewer units on the basis of residential  
24 equivalents.

25 A city or town by by-law or ordinance may separate the costs of  
26 general benefit facilities, such as pumping stations, trunk and force  
27 mains, from that of special benefit facilities, such as the sewer  
28 mains, serving adjacent properties. A portion of costs of the  
29 general benefit facilities may be apportioned by the uniform unit  
30 method on all developed and undeveloped areas to receive benefit  
31 or advantage within the pumping district or combination of  
32 districts. The cost of the general benefit facilities, attributable to  
33 undeveloped land not abutting a sewer street, may not be  
34 assessed until properties are serviced by public sewerage. The  
35 proportional cost of the special benefit and general benefit  
36 facilities may be assessed against all properties abutting a sewer  
37 street.