

[Similar Matter Filed During Past Session —  
See Senate No. 1163 of 1983]

**SENATE . . . . . No. 1213**

---

---

By Mr. Timilty, a petition (accompanied by bill, Senate, No. 1213) of Joseph F. Timilty for legislation relative to making repairs on private ways. Local Affairs.

---

---

**The Commonwealth of Massachusetts**

In the Year One Thousand Nine Hundred and Eighty-four.

**AN ACT RELATING TO MAKING REPAIRS ON PRIVATE WAYS.**

*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. Chapter 40 of the General Laws is hereby  
2 amended by striking out section 6N, inserted by Chapter 693  
3 of the Acts of 1977, and inserting in place thereof the follow-  
4 ing section: —

5 *Section 6N.* Cities and towns may by ordinance or bylaw  
6 provide for making temporary repairs on private ways. Such  
7 ordinance or bylaw shall determine (a) the type and extent  
8 of repairs; (b) if drainage shall be included; (c) if the repairs  
9 are required by public necessity; (d) the number or percent-  
10 age of abutters who must petition for such repairs; (e) if bet-  
11 terment charges shall be assessed; (f) if the ways shall have  
12 been opened to public use for a term of years; and (g) if a  
13 cash deposit shall be required for said repairs.

1 SECTION 2. Sections six E to six I, inclusive, and section six  
2 M of chapter forty of the General Laws, repealed by section  
3 one of Chapter 693 of the Acts of 1977, shall remain in effect  
4 in a city or town until July first, nineteen hundred and eighty-  
5 five, or until such city or town has adopted an ordinance or  
6 bylaw pursuant to section six N of chapter forty, inserted by  
7 section one of this act or whichever occurs first.

