

HOUSE No. 252

By Mr. Timothy J. Murphy of Boston (by request), petition of Francis J. Quirico that boards of appeal under zoning ordinances of cities and towns be authorized to reverse certain decisions of administrative officers by a two thirds vote. Mercantile Affairs.

The Commonwealth of Massachusetts

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

AN ACT TO PERMIT BOARD OF APPEALS UNDER ZONING ORDINANCES OR BY-LAWS TO REVERSE ADMINISTRATIVE OFFICIALS, EFFECT VARIANCE IN APPLICATION, OR EXERCISE OTHER POWERS UNDER SAID ORDINANCE OR BY-LAWS, UPON THE VOTE OF TWO THIRDS OF ITS MEMBERS.

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 thirty of chapter forty of the General Laws,
2 as most recently amended by chapter three hundred
3 and eighty-eight of the acts of nineteen hundred and
4 thirty-five, is hereby further amended by striking out
5 the word "all" in the one hundred and third line
6 and inserting in place thereof the words:—two
7 thirds of,— so that the paragraph contained in the
8 one hundred and third to the one hundred and eighth
9 lines will read as follows:— The concurring vote of
10 two thirds of the members of the board shall be
11 necessary to reverse any order or decision of any such

13 civic, charitable, fraternal, social or other cause;
14 provided, that nothing in this section shall be con-
15 strued to relate to the transaction of official business
16 of the commonwealth or of any county or municipality
17 thereof. Whoever violates any provision of this
18 section shall be punished by a fine of not less than
19 five hundred nor more than five thousand dollars
20 and by imprisonment for not less than one nor more
21 than six months, or by both such fine and imprison-
22 ment.