

By Mr. Nazzaro of Boston, petition of H. A. Scagnoli for requiring that sites and plans of off-street parking facilities in the city of Boston be approved by the traffic commissioner of said city. Cities.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Sixty-Two.

AN ACT REQUIRING THAT THE SITES AND PLANS OF PUBLIC OFF-STREET PARKING FACILITIES IN THE CITY OF BOSTON BE APPROVED BY THE TRAFFIC COMMISSIONER OF SAID CITY.

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 1 of chapter 474 of the acts of 1946 is
2 hereby amended by striking out clause (a) and inserting in place
3 thereof the following clause: —

4 (a) The power to acquire by eminent domain under chapter
5 seventy-nine or chapter eighty A of the General Laws or by pur-
6 chase, gift, devise or otherwise, but not by lease, and to hold,
7 property, real or personal, or any interest therein except a lease-
8 hold estate for the purposes of this act; provided, that the board
9 shall have no power to acquire, except by gift or devise, any
10 property privately held and operated as a garage, which term
11 shall not be construed to include a parking space; provided
12 further, that the board shall have no power to acquire by eminent
13 domain or by purchase any real estate other than that which
14 the board, with the approval of the traffic commissioner of the
15 city and the Boston Redevelopment Authority shall have de-
16 termined should be devoted to the purposes of this act; and
17 provided also, that no purchase and no award, settlement or
18 agreement for judgment in eminent domain proceedings here-
19 under shall be made by the city or in its behalf, unless the terms
20 of the proposed purchase, award, settlement or agreement, to-
21 gether with all pertinent facts, shall first have been submitted
22 to the Boston Finance Commission not less than ten days before
23 such purchase, award, settlement or agreement;

1 SECTION 2. Said section 1 is hereby further amended by strik-
2 ing out clause (c) and inserting in place thereof the following
3 clause:—

4 (c) The power to clear, grade, surface and resurface any prop-
5 erty acquired or used for the purposes of this act, and to construct
6 and maintain thereon such structures and facilities for parking
7 as the board with the approval of the traffic commissioner of the
8 city shall determine;

1 SECTION 3. Clause (e) of said section 1, as appearing in section
2 2 of chapter 612 of the acts of 1948, is hereby amended by in-
3 serting after the word "board", in line 25, the words:— and
4 approved by the traffic commissioner of the city.

1 SECTION 4. The traffic department of the city of Boston is
2 hereby renamed the traffic and parking department; and the
3 traffic commissioner of said city, the commissioner of traffic and
4 parking.

1 SECTION 5. The first sentence of said section 1 is hereby
2 amended by striking out, in line 5, the word "board", and in-
3 serting in place thereof the words:— commissioner of traffic and
4 parking of the city.