

HOUSE No. 1250.

Commonwealth of Massachusetts.

HOUSE OF REPRESENTATIVES, April 8, 1904.

The committee on Cities, to whom was referred the petition (with accompanying bill, House, No. 507) of G. H. Richards and others for legislation to limit the height of buildings in certain parts of the city of Boston, report the accompanying bill.

For the committee,

W. M. BRIGHAM.

Commonwealth of Massachusetts.

In the Year One Thousand Nine Hundred and Four.

AN ACT

Relative to the Height of Buildings in the City of
Boston.

*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. The city of Boston shall, for the
2 purposes of this act, be divided in the manner
3 hereinafter set forth into districts of two classes
4 to be known as districts A and B.

1 SECTION 2. The boundaries of such districts
2 shall be determined for fifteen years succeeding
3 the first day of January, nineteen hundred and
4 five, in such manner that those parts of said city
5 in which all or the greater part of the buildings
6 situate therein on said date are then used for
7 business or commercial purposes shall be included
8 in the district or districts designated A, and that
9 those parts of said city in which all or the greater

10 part of the buildings situate therein on said date
11 are then used for residential purposes, or for
12 other purposes not business or commercial, shall
13 be in the district or districts designated B.

1 SECTION 3. Not later than the first day of
2 July in the year nineteen hundred and four, the
3 mayor of said city shall name a commission of
4 three members, which shall be called "commission
5 on height of buildings in the city of Boston."

1 SECTION 4. The members of such commission
2 shall serve until it shall have established the dis-
3 tricts referred to in this act, and any vacancy in the
4 number of members in such commission during
5 said period caused by the resignation, death or
6 inability to act, of any member, shall be filled by
7 the said mayor on written application by the
8 remaining members of the commission, or by ten
9 inhabitants of the said city. The members of
10 such commission shall receive such compensation
11 as the mayor shall determine.

1 SECTION 5. Such commission shall immedi-
2 ately upon its appointment give notice and public
3 hearings, and shall, on or before the first day of
4 October, in the year nineteen hundred and four,
5 make an order establishing the boundaries of each
6 of the districts referred to in section one and two
7 of this act for the succeeding period of fifteen
8 years. Such order shall be recorded in the reg-
9 istry of deeds for the county of Suffolk.

1 SECTION 6. In the city of Boston, no building
2 shall be erected to a height of more than one hun-
3 dred and twenty-five feet above the grade of the
4 street in any district designated A, and no build-
5 ing shall be erected to a height of more than
6 eighty feet above the grade of the street in any
7 district designated B. These restrictions shall
8 not apply to grain or coal elevators or sugar
9 refineries in any district designated A, nor to
10 steeples, domes, towers or cupolas erected for
11 strictly ornamental purposes, of fireproof material,
12 on buildings of the above height or less in any
13 district. The supreme judicial court or the
14 superior court shall have jurisdiction in equity to
15 enforce the provisions of this act, and to restrain
16 the violation thereof.

1 SECTION 7. This act shall take effect upon its
2 passage.