

SENATE No. 166.

To accompany the petition of Charles R. Evans for legislation to regulate the establishment of automobile houses or garages in certain cities and towns. Cities.

Commonwealth of Massachusetts.

In the Year One Thousand Nine Hundred and Eight.

AN ACT

To regulate the Establishment of Automobile Houses
or Garages in Certain Cities and Towns.

*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 sixty-nine of chapter one
2 hundred and two of the Revised Laws is hereby
3 amended as follows: By inserting in the first line
4 thereof, after the word "stable," the words:—
5 or automobile house or garage; and by inserting in
6 the seventh line thereof, after the word "ninety-
7 five," the words:— in case of a stable or nine-
8 teen hundred and seven in case of a garage; and by
9 inserting, in the tenth line thereof, after the word
10 "animals," the words:— and automobiles respec-
11 tively; and by inserting, in the twelfth line thereof,

12 after the word "requires," the words:— and like-
13 wise relative to the storage and handling of gaso-
14 lene or other combustible gas or fluid,— so that
15 said section as hereby amended shall read as fol-
16 lows:—

17 *Section 69.* No person shall erect, occupy or use
18 for a stable, or automobile house or garage, any
19 building in a city whose population exceeds twenty-
20 five thousand, unless such use is licensed by the
21 board of health of said city, and, in such case, only
22 to the extent so licensed. The provisions of this
23 section shall not prevent any such occupation and
24 use which was authorized by law on the fourth day
25 of May in the year eighteen hundred and ninety-
26 five in case of a stable, or nineteen hun-
27 dred and seven in case of a garage, to the extent
28 and by the person so authorized, but the board of
29 health of such a city may make such regulations or
30 orders relative to the drainage, ventilation, number
31 of animals and automobiles respectively, and the
32 storage and handling of manure in any stable ex-
33 isting on said date in their respective cities as in
34 their judgment the public health requires, and like-
35 wise relative to the storage and handling of gaso-
36 lene or other combustible gas or fluid.

1 SECTION 2. Section seventy of chapter one hun-
2 dred and two of the Revised Laws is hereby
3 amended as follows: By inserting, in the third line
4 thereof, after the word "horses," the words:— or
5 house or garage for more than four automobiles;
6 and by inserting, in the seventh line thereof, after
7 the word "let," the words:— or a garage or
8 house for taking or keeping automobiles for hire;

9 and by inserting, in the thirteenth line thereof, af-
10 ter the word "time," the words:—or in case
11 of automobiles on the , nineteen hundred
12 and seven,—so that said section as hereby
13 amended shall read as follows:—

14 *Section 70.* No person shall erect, occupy or use
15 a building, in a city whose population does not ex-
16 ceed twenty-five thousand, for a stable for more
17 than four horses, or a house or garage for more
18 than four automobiles, unless first licensed so to do
19 by the board of health of said city, and in such case,
20 only to the extent so licensed. No person shall, in
21 a city, occupy or use a building for a livery stable
22 or a stable for taking or keeping horses and car-
23 riages for hire or to let, or a garage or house for
24 taking or keeping automobiles for hire, within two
25 hundred feet of a church or meeting house erected
26 and used for the public worship of God without the
27 consent in writing of the religious society or parish
28 worshipping therein; but the provisions of this sec-
29 tion shall not prevent such occupation and use
30 which was authorized by law on the seventeenth
31 day of May in the year eighteen hundred and
32 ninety-one, to the extent authorized at that time, or
33 in case of automobiles on the , nineteen
34 hundred and seven.

1 SECTION 3. Section seventy-two of chapter one
2 hundred and two of the Revised Laws is hereby
3 amended as follows: By inserting, in the third line
4 thereof, after the word "horses," the words:—
5 or four automobiles; and by inserting, in the sev-
6 enth line thereof, after the word "horses," the
7 words:—or more than four automobiles,—so that

8 said section as hereby amended shall read as fol-
9 lows:—

10 *Section 72.* The board of health in towns having
11 a population of more than five thousand and the
12 selectmen of other towns may license suitable per-
13 sons to keep more than four horses or four auto-
14 mobiles in specified buildings or places within their
15 respective towns, and may revoke such licenses at
16 pleasure. Whoever, not being licensed as afore-
17 said, occupies or uses a building or place for a sta-
18 ble for more than four horses, or more than four
19 automobiles, shall forfeit not more than fifty dol-
20 lars for every month he so occupies or uses such
21 building or place, and in like proportion for a
22 shorter time. The superior court shall have juris-
23 diction in equity to restrain such occupancy or use
24 without such license.

1 SECTION 4. This act shall take effect on the first
2 day of , nineteen hundred and seven.