

# HOUSE . . . . No. 1564

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Bill accompanying the petition of George L. Tuppe and others for legislation to provide for appeals from decisions of boards of health in towns. Public Health. January 19.

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## The Commonwealth of Massachusetts.

In the Year One Thousand Nine Hundred and Twelve.

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### AN ACT

Relative to Appeals from Decisions of Boards of Health of  
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. In all cases where a board of health of a  
2 city or town other than the city of Boston, denies a peti-  
3 tioner a permit, license or privilege for the use of his  
4 real property, application therefor to such board having  
5 been properly made, the reasons for such denial shall be  
6 stated; and in cases where the use of such property in the  
7 manner and form proposed by any petitioner is deemed  
8 dangerous to the public health, it shall be so stated  
9 among the reasons given for the refusal to grant the re-  
10 quest of the petitioner.

1 SECTION 2. In all cases where a petitioner is ag-  
2 grieved by the action of a board of health, as provided in  
3 the preceding section, he may appeal therefrom, and have  
4 a hearing before the district, police or municipal court  
5 within the jurisdiction of which the property of the peti-  
6 tioner is located, and the decision of said board shall  
7 determine the right of the petitioner to the permit, license  
8 or privilege for which application was made as set forth  
9 in the petition; such appeal shall be taken within thirty  
10 days after notice of the decision of such board has been  
11 duly served in writing on the petitioner by filing with  
12 such board a written notice of his claim of appeal, and  
13 the record in the case shall forthwith be transmitted to  
14 the clerk of the court having jurisdiction of the action  
15 as herein provided.

1 SECTION 3. This act shall take effect upon its passage.