

SENATE No. 51

To accompany the petition of Clarence W. Hobbs, Jr., relative to the disposal of garbage by the city of Worcester. Public Health.

The Commonwealth of Massachusetts.

In the Year One Thousand Nine Hundred and Sixteen.

AN ACT

Relative to the Disposing of Garbage by the City of Worcester.

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 Worcester, for the pur-
2 pose of disposing of garbage, acting by its board of
3 overseers of the poor with the approval of the
4 mayor, may from time to time enter into an agree-
5 ment with any town in Worcester county acting
6 by its board of health, or in case there is no board
7 of health, then by the board of selectmen, which
8 agreement shall contain the following stipula-
9 tions, viz.:—

10 1. The area within such town or towns upon
11 which the city of Worcester may dispose of

12 garbage collected by it, which area shall be
13 described by metes and bounds and shall be shown
14 upon a plan thereof recorded in the office of the
15 town clerk of such town and in the office of the
16 city clerk of the city of Worcester.

17 2. A full and accurate description as to the
18 manner in which it is proposed to treat and dis-
19 pose of the garbage.

1 SECTION 2. The agreement entered into in
2 accordance with the preceding section shall be
3 recorded, within thirty days from the date of its
4 execution, in the clerk's office of the city of Wor-
5 cester and in the office of the town clerk in the
6 town with which such agreement has been made.

1 SECTION 3. Upon the making and recording
2 of an agreement in accordance with the two pre-
3 ceding sections, the city of Worcester may, within
4 one year from the date of the execution of such
5 agreement, take by purchase or otherwise the area
6 of land agreed upon as provided in section one of
7 this act, but in case of purchase of lands under the
8 authority of this act the city shall be exempt from
9 the provisions of so much of chapter two hundred
10 and sixty-three of the general acts of the year
11 nineteen hundred and fifteen as relates to the
12 amount which the city may pay for lands ac-
13 quired, and in case of taking other than by pur-
14 chase a description of the lands and rights taken,
15 signed by the mayor or city engineer, shall be
16 recorded in the registry of deeds.

1 SECTION 4. The damages resulting from the
2 taking of lands or from the business to be carried
3 on upon lands acquired under the provisions of
4 this act shall be assessed and determined in the
5 manner provided where land is taken for the lay-
6 ing out of highways.

1 SECTION 5. The city of Worcester shall pay,
2 in lieu of taxes, upon the land taken under the
3 provisions of this act, such a sum annually as the
4 county commissioners for the county of Worcester
5 may from time to time determine and award.

1 SECTION 6. Any agreement entered into under
2 the provisions of section one of this act may be
3 amended or modified by the mutual agreement of
4 the boards named in section one, and any amend-
5 ment or modification so entered into shall be re-
6 corded in the manner provided in said section.

1 SECTION 7. In case the boards named in sec-
2 tion one of this act cannot agree upon any pro-
3 posed modification or amendment of the agree-
4 ment then existing, then the state board of health,
5 upon petition of either board shall, upon ten
6 days' notice to such boards and after a public
7 hearing thereon, determine and decree such
8 modification or amendment as to it seems just and
9 adequate in the premises, and such decree by the
10 state board of health shall be recorded in the same
11 manner as is provided for recording the original
12 agreement.

1 SECTION 8. The authority granted under the
2 provisions of this act shall not be exercised in such
3 a manner as to be a menace or injurious to the
4 public health.

1 SECTION 9. This act shall take effect upon its
2 passage.