

SENATE No. 1123

By Mr. LoPresti, a petition (accompanied by bill, Senate, No. 1123) of Michael LoPresti, Jr., and the Massachusetts Conveyancers Association, by William V. Hovey, president, for legislation relative to agreement to complete work under an order of conditions. Natural Resources and Agriculture.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Eighty-Six.

AN ACT RELATIVE TO AGREEMENT TO COMPLETE WORK UNDER AN ORDER OF CONDITIONS.

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 40 of chapter 131 of the General Laws is hereby
2 further amended by striking the fifteenth paragraph as most
3 recently amended by chapter 248 of the acts of 1978 and insert-
4 ing in place thereof the following paragraph: —

5 Within twenty-one days of the receipt of a written request,
6 by the applicant or the owner of the property, for a certificate
7 of compliance, the issuer of the final order shall grant such
8 request if the activity, or portions thereof, complies with such
9 final order. The certificate of compliance shall state the activity,
10 or portions thereof, has been completed in accordance with
11 such order.

12 At the applicant's option, the applicant and the conservation
13 commission shall enter into an agreement under which the
14 applicant shall agree to complete all of the work called for in
15 the order of conditions and shall deposit with the conservation
16 commission, as security for the performance of such agreement
17 cash, or surety company bond, or letter of credit in such
18 amounts and in such form as the conservation commission
19 may reasonably require in order to insure the applicant's per-
20 formance. Upon the execution of such agreement and the

21 delivery of such surety, the conservation commission shall
22 release the land affected from the operation of said order of
23 conditions.