

HOUSE No. 4881

By Mr. Ames of Easton, petition of John S. Ames, III that the Department of Natural Resources be authorized to restore land defaced by the removal of sand and gravel. Natural Resources and Agriculture.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Seventy-Two.

AN ACT PERMITTING THE DEPARTMENT OF NATURAL RESOURCES TO RESTORE LAND DEFACED BY SAND AND GRAVEL REMOVED IN ABSENCE OF ACTION OF MUNICIPAL OFFICIALS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter 40 of the General Laws is hereby amended by
2 adding after section 55 the following section: —
3 *Section 56.* Any person who seeks to obtain a permit to
4 remove sand or gravel in any city or town, shall file with
5 application therefor a plan showing the manner by which the
6 area shall be reclaimed or restored to its former condition,
7 certified by a qualified engineer. He shall also file a bond
8 conditioned upon his compliance with such plan in such
9 amount as may be determined by the city council or board of
10 selectmen. If the holder of the permit shall breach the
11 conditions of his bond and the municipality shall fail within a
12 reasonable time to take action thereon, the commonwealth
13 acting through the commissioner of the department of natural
14 resources, may restore or reclaim such area and the
15 municipality shall reimburse the commonwealth for the costs
16 thereof.

