

SENATE...No. 91.

Commonwealth of Massachusetts.

In the Year One Thousand Eight Hundred and Sixty-One.

AN ACT

For the removal of Snow and Ice from Sidewalks in 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 SECT. 1. The tenant, occupant, and in case there
2 is no tenant, the owner, or any person having the
3 care of any building or lot of land bordering or abut-
4 ting on any public street, highway, town way or lane
5 within any town in this Commonwealth, where there
6 is now or may hereafter be built any paved or planked

7 sidewalks, shall, after the ceasing to fall of any snow,
8 if in the day time, within six hours, and if in the night
9 time, before one of the clock in the afternoon of the
10 succeeding day, cause the same to be removed there-
11 from, and in default thereof, shall forfeit and pay a
12 fine of not less than two dollars, nor more than ten
13 dollars; and for each and every hour thereafter that
14 the same remains on such sidewalk, such tenant, occu-
15 pant, owner or other person shall forfeit and pay a
16 fine of not less than one dollar, nor more than ten
17 dollars.

1 SECT. 2. Whenever any paved or planked sidewalk
2 bordering or abutting upon any building or lot of
3 land on any public street, highway, town way or lane
4 in any such town, is encumbered with ice, the occu-
5 pant, and in case there is no occupant, the owner, or
6 any person having the care of such building or lot,
7 shall cause such walk to be made safe and convenient
8 by removing the ice therefrom, or by covering the
9 same with sand, or some other suitable substance;
10 and in case such owner, occupant or other person
11 neglects so to do for the space of six hours during
12 the day time, he shall forfeit and pay a fine of not
13 less than two nor more than five dollars, and a like
14 sum for every day that the same continues so
15 encumbered.

1 SECT. 3. All fines and forfeitures for the violation
2 of the two preceding sections shall inure to and be
3 paid to the use of the towns in which such violations
4 may be committed, and the foregoing provisions may
5 be enforced by complaint made by any selectman of

6 any such town, to any trial justice or police court
7 within the county where such violation may be com-
8 mitted, and in all cases of conviction under the pro-
9 visions of this act the party so convicted shall pay all
10 costs of prosecution, but in all other cases brought
11 for the violation of the provisions of this act each and
12 every town in which such violations may happen shall
13 pay all costs arising therefrom.

1 SECT. 4. This act shall not take effect except in
2 such towns as shall, at a legal meeting, called for that
3 purpose, by a majority of the voters present and voting
4 thereon, determine to accept the same.

HOUSE OF REPRESENTATIVES, February 1, 1861.

Passed to be engrossed.

Sent up for concurrence.

WILLIAM STOWE, *Clerk.*

