

# HOUSE . . . . . No. 4485

By Mr. Cusack of Arlington, petition of John F. Cusack that provision be made for certain public notices of the cutting of public shade trees. Natural Resources and Agriculture.

## **The Commonwealth of Massachusetts**

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

AN ACT RELATING TO NOTICE OF CUTTING OF PUBLIC SHADE TREES.

*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 87 of the General Laws is hereby amended by striking  
2 out section 3, as most recently amended by section 13 of chapter  
3 145 of the acts of 1915, and inserting in place thereof the following  
4 section:—

5 *Section 3.* Except as provided by section five, public shade trees  
6 shall not be cut, trimmed or removed, in whole or in part, by any  
7 person other than the tree warden or his deputy, even if he be the  
8 owner of the fee in the land on which such tree is situated, except  
9 upon a permit in writing from said tree warden, nor shall they be  
10 cut down or removed by the tree warden or his deputy or other  
11 person without a public hearing and said tree warden or his deputy  
12 shall cause a notice of the time and place of such hearing thereof,  
13 which shall identify the size, type and location of the shade tree or  
14 trees to be cut down or removed, to be posted in two or more public  
15 places in the town and upon the tree at least seven days before such  
16 hearing and published in a newspaper of general circulation in the  
17 city or town once in each of two successive weeks, the first  
18 publication to be not less than seven days before the day of the  
19 hearing or if no such local newspaper exists then in accordance  
20 with the provisions of section six of chapter four any person  
21 injured in his property by the action of the officer in charge.

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