

By Mr. Vigneau of Burlington, petition of the Massachusetts Municipal Association, Bruce N. Freeman and other members of the House relative to establishing procedures by which town officials can find that a highway or public way is unused for ordinary travel, and to free the town from all further responsibility for such highway or public way. Transportation.

The Commonwealth of Massachusetts

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

AN ACT ESTABLISHING PROCEDURES BY WHICH TOWN OFFICIALS CAN FIND THAT A HIGHWAY OR PUBLIC WAY IS UNUSED FOR ORDINARY TRAVEL, AND TO FREE THE TOWN FROM ALL FURTHER RESPONSIBILITY FOR SUCH HIGHWAY OR PUBLIC WAY.

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 82 of the General Laws is hereby amended by inserting
2 after the section 21 the following section:—

3 Notwithstanding the provisions of Section 1 and 22 of Chapter
4 84 of the General Laws, the selectmen or road commissioners of a
5 town may, after holding a public hearing, notice of which shall be
6 published in a newspaper of general circulation in the town once in
7 each of two successive weeks, the first publication to be not less
8 than fourteen days before the day of the hearing and by posting in a
9 conspicuous place in the town hall for a period of not less than
10 fourteen days before the day of the hearing, upon finding that a
11 Highway or Public Way has become abandoned and unused for
12 ordinary travel and that the common convenience and necessity no
13 longer require said highway or public way to be maintained in a
14 condition reasonably safe and convenient for travel, shall declare
15 that the town shall no longer be bound to keep such highway or
16 public way in repair and upon filing of such declaration with the
17 Town Clerk such declaration shall take effect, provided that suffi-
18 cient notice to warn the public against entering thereon is posted at
19 both ends of such highway or public way, or positions thereof.

