

HOUSE No. 3621

By Mr. Pacheco of Taunton, petition of Marc R. Pacheco for legislation to provide for improved zoning enforcement decisions in cities and towns. Local Affairs.

The Commonwealth of Massachusetts

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

AN ACT TO PROVIDE IMPROVED NOTICE OF ZONING ENFORCEMENT DECISIONS.

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 7 of Chapter 40A of the General Laws is amended by
2 adding the following new paragraph after the first paragraph:
3 "Where the terms of the Zoning Ordinance or bylaw are
4 unclear as to whether a proposal would constitute a zoning
5 violation, the applicant shall request in writing an opinion of the
6 officer or board charged with enforcement of the Zoning
7 Ordinance or bylaw. Said opinion shall be rendered in writing
8 within 14 days, unless an extension of time is mutually agreed
9 upon. If the opinion of the officer or board is in favor of the
10 applicant, said applicant shall within five days of the date of the
11 opinion notify, by mail, postage prepaid, parties in interest as
12 defined in Section 11 of this Chapter, including a copy of the
13 decision and a copy of a statement provided by the city or town
14 providing notice of the right to appeal. No building permit shall
15 issue until thirty days has elapsed from the date of the opinion.

