

By Mr. O'Brien of Springfield, petition of John P. O'Brien and another for legislation relative to municipal development projects for industrial and business purposes. Urban Affairs.

The Commonwealth of Massachusetts

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

AN ACT CONCERNING MUNICIPAL DEVELOPMENT PROJECTS FOR INDUSTRIAL AND BUSINESS PURPOSES.

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 1. It is found and declared that the economic
2 welfare of the state depends upon the continued growth of
3 industry and business within the state; that the acquisition
4 and improvement of unified land areas to meet the needs of
5 industry and business should be in accordance with local,
6 regional and state planning objectives; that such acquisition
7 and improvement often cannot be accomplished through the
8 ordinary operations of private enterprise at competitive rates
9 of progress and economies of cost; that permitting and assist-
10 ing municipalities to acquire and improve unified land areas
11 for industrial and business purposes in accordance with such
12 planning objectives are public uses and purposes for which
13 public moneys may be expended; and that the necessity in
14 the public interest for the provisions of this act is hereby
15 declared as a matter of legislative determination.

1 SECTION 2. As used in this act "municipality" means a
2 town, city, consolidated town and city or consolidated town
3 and borough; "development agency" means the agency desig-
4 nated by a municipality under section three of this act
5 through which the municipality may exercise the powers
6 granted under this act; "development project" means a proj-
7 ect conducted by a municipality for the assembly, improve-

8 ment and disposition of land to be used primarily for in-
9 dustrial or business purposes; "project area" means the area
10 within which the development project is located.

1 SECTION 3. Any municipality which has a planning com-
2 mission is authorized by vote of its legislative body, to desig-
3 nate the redevelopment agency of such municipality as its
4 development agency and exercise through such agency the
5 powers granted under this act.

1 SECTION 4. The development agency may initiate a devel-
2 opment project by preparing a project plan therefor in ac-
3 cordance with regulations of the commissioner of community
4 affairs. The project plan shall include: (a) A legal descrip-
5 tion of the land within the project area; (b) a description of
6 the present condition and uses of such land; (c) a descrip-
7 tion of the types and locations of land uses proposed for the
8 project area; (d) a description of the types and locations of
9 present and proposed streets, sidewalks and sanitary, utility
10 and other facilities and the types and locations of other
11 proposed site improvements; (e) statements of the present
12 and proposed zoning classification and subdivision status of
13 the project area and the areas adjacent to the project area;
14 (f) a plan for relocating project-area occupants; (g) a financ-
15 ing plan; (h) an administrative plan; (i) a marketability
16 and proposed land-use study, supported by appropriate ap-
17 praisal reports; and (j) findings that the land within the
18 project area will be used principally for industrial or business
19 purposes; that the plan is in accordance with the plan of
20 development for the municipality adopted by its planning
21 commission and the plan of development of the regional plan-
22 ning agency, if any, for the region within which the munic-
23 ipality is located; that the plan is not inimical to any state-
24 wide planning program objectives of the Commonwealth of
25 Massachusetts; that the project will contribute to the eco-
26 nomic welfare of the municipality and the state; and that to
27 carry out and administer the project, public action under
28 this act is required.

1 SECTION 5. The State, acting by and in the discretion of
2 the Commissioner of Community Affairs may enter into con-
3 tracts with the municipalities to provide financial assistance
4 in the form of loans to facilitate the planning of develop-
5 ment projects; provided, (a) no such loan shall be made in
6 an amount exceeding the estimated reasonable cost of such
7 planning as determined by said commission; and (b) the
8 amount of any such loan shall be deducted from the amount
9 of any development grant which might otherwise be made
10 to the municipality. Such financial assistance shall be ren-
11 dered upon such contractual arrangements as may be agreed
12 upon by the commissioner and the municipality in accord-
13 ance with their respective needs, and the commissioner may
14 determine the qualifications of personnel or consultants to be
15 engaged for such assistance.

1 SECTION 6. The department of community affairs shall
2 have the power and is hereby authorized from time to time to
3 issue its negotiable bonds and notes in such principal amount
4 as, in the opinion of the commissioner of community affairs,
5 shall be necessary to provide sufficient funds for achieving the
6 purposes of this act. The department of community affairs
7 shall have the power, from time to time, to issue renewal notes,
8 to issue bonds to pay notes and whenever it needs refunding
9 expedient to refund any bonds by the issuance of new bonds,
10 whether the bonds to be refunded have or have not matured,
11 and to issue bonds partly to refund bonds then outstanding
12 and partly for any other purposes. The refunding bonds shall
13 be sold and the proceeds applied to the purchase, redemption
14 or payment of the bonds to be refunded.

1. The first section of the Act shall be...

2. The second section of the Act shall be...

3. The third section of the Act shall be...

4. The fourth section of the Act shall be...

5. The fifth section of the Act shall be...

6. The sixth section of the Act shall be...

7. The seventh section of the Act shall be...

8. The eighth section of the Act shall be...

9. The ninth section of the Act shall be...

10. The tenth section of the Act shall be...

11. The eleventh section of the Act shall be...

12. The twelfth section of the Act shall be...

13. The thirteenth section of the Act shall be...

14. The fourteenth section of the Act shall be...

15. The fifteenth section of the Act shall be...

16. The sixteenth section of the Act shall be...

17. The seventeenth section of the Act shall be...

18. The eighteenth section of the Act shall be...

19. The nineteenth section of the Act shall be...

20. The twentieth section of the Act shall be...