

HOUSE No.

[LOCAL APPROVAL RECEIVED.]

The Commonwealth of Massachusetts

PRESENTED BY:

Cleon H. Turner

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act to authorize the Dennis Water District to construct and maintain a system for sewage collection, treatment, and discharge.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Cleon H. Turner	1st Barnstable
Robert A. O'Leary	

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT TO AUTHORIZE THE DENNIS WATER DISTRICT TO CONSTRUCT AND MAINTAIN A SYSTEM FOR SEWAGE COLLECTION, TREATMENT, AND DISCHARGE.

*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. The Dennis Water District in the Town of Dennis is hereby granted the
2 same authority to construct and maintain a sewage collection, treatment and discharge system
3 within the limits of said District that cities and towns now have by law; and the provisions of the
4 General Laws relative to sewage collection, treatment, and discharge systems and acts in
5 amendment thereof, shall so far as applicable apply to said District. The authority of the Town
6 of Dennis to construct and maintain a sewage collection, treatment, and discharge system
7 within the limits of said District shall be suspended while this act is in force.

8

9 SECTION 2. The Water Commissioners of said District shall have the same powers and
10 authority in relation to a sewage collection, treatment, and discharge system within the limits
11 of said District as are given by law to the selectmen and/or sewer commissioners of towns.

12

13 SECTION 3. Said District may, at a meeting called for the purpose, vote to raise by taxation,
14 or borrow money to carry out the provisions of this act, subject to the restrictions and
15 limitations imposed by law upon towns; and all money so raised or borrowed shall be expended
16 by said Board of Water Commissioners for the purposes prescribed by the vote of the District.

17

18 SECTION 4. Whenever a tax is duly voted by the District for the purposes of this act, the clerk
19 shall send a certified copy of the vote to the assessors of said Town, who shall assess the same
20 on property within the District in the same manner in all respects in which town taxes are
21 required by law to be assessed.

22

23 SECTION 5 Said Board of Water Commissioners shall, subject to the direction of said District,
24 lay, make, and maintain therein all such sewers, treatment systems, and disposal works as they
25 adjudge to be necessary for the public convenience or the public and environmental health;
26 and for these purposes said District may take, by purchase or otherwise, as herein provided,
27 any land in the said Town which in the opinion of said Board of Water Commissioners may be
28 necessary therefore. Also, for the purposes aforesaid, the District, acting by and through its
29 Board of Water Commissioners may contract with any municipality, or with any wastewater
30 company, or with any wastewater district, for whatever wastewater collection, distribution or
31 treatment may be required

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33 SECTION 6 Said Board of Water Commissioners may, subject to the direction of said District,
34 take by eminent domain under chapter 79 or chapter 80A of the General Laws, or acquire by
35 lease, purchase or otherwise, land within the Town of Dennis for the purposes of public health,
36 environmental health and public convenience, and for said purposes may take as aforesaid, or
37 acquire by purchase or otherwise, and hold, all lands, rights of way and other easements
38 necessary for collecting, treating and discharging of wastewater and for conveying the same to
39 any part of the Town

40

41 SECTION 7 Said Board of Water Commissioners shall keep maps and plans of all sewer,
42 treatment and discharge facilities constructed by them, and on the completion of any sewer,
43 treatment and discharge facilities shall ascertain and certify the whole expense of the same and
44 cause a record thereof to be made and kept. It may then assess the estates benefited thereby
45 in the manner provided in chapter eighty of the General Laws and acts in amendment thereof.
46 Said assessments shall be collected in the same manner as taxes upon real estate.

47

48 SECTION 8. All sewer, treatment and discharge facilities constructed by said Board of Water
49 Commissioners shall be the property of said District, and shall be under the charge and control
50 of said Board, which shall have authority to regulate the use of the same and to prescribe the

51 mode in which the same shall be entered by particular sewers from lands which have been
52 assessed for the expense of their construction. No person shall be allowed to enter or
53 discharge into a public sewer from any particular sewer connecting any land which has not
54 been assessed for the expense of the construction of such public sewer, except by leave of said
55 Board and on payment of such compensation as it shall determine. All such particular sewers
56 entering any public sewer shall be under the exclusive charge and control of said Board, which
57 shall have authority to make and execute orders concerning the same as if the same were
58 constructed by said Board under this act.

59

60 SECTION 9. This act shall take effect whenever the same shall have been approved and
61 adopted by a majority of the legal voters of said District present and voting at a meeting duly
62 called for that purpose