

**HOUSE . . . . . No.**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

**Michael J. Rodrigues**

*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 safeguard municipal permitting.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Michael J. Rodrigues	8th Bristol

# The Commonwealth of Massachusetts

\_\_\_\_\_  
In the Year Two Thousand and Nine  
\_\_\_\_\_

## AN ACT TO SAFEGUARD MUNICIPAL PERMITTING.

*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.** Section 6 of Chapter 40A is hereby amended by striking the second paragraph and  
2 replacing it with the following:

3  
4           A zoning ordinance or by-law shall provide that construction or operations under a building  
5 permit shall conform to any subsequent amendment of the ordinance or by-law unless the use or  
6 construction is commenced within a period of not more than twelve months after the issuance of  
7 the permit and, in cases involving construction, unless such construction is continued through to  
8 completion as continuously and expeditiously as is reasonable. Construction or operations under  
9 a special permit or site plan approval shall conform to any subsequent amendment of the zoning  
10 ordinance or by-law or of any other local land use regulations unless the use or construction is  
11 commenced within a period of two years after the issuance of the permit and, in cases involving  
12 construction, unless such construction is continued through to completion as continuously and  
13 expeditiously as is reasonable. For the purpose of the prior sentence, construction involving the  
14 redevelopment of previously disturbed land shall be deemed to have commenced upon  
15 substantial investment in site preparation and/or infrastructure construction, and construction of  
16 developments intended to proceed in phases shall proceed expeditiously, but not continuously,  
17 among phases.