HOUSE DOCKET, NO. 820 FILED ON: 1/19/2011

HOUSE . . . . . No. 243

The Commonwealth of Massachusetts

PRESENTED BY:

James R. Miceli

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:

An Act relative to solid waste disposal facilities.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
James R. Miceli	*19th Middlesex*

HOUSE DOCKET, NO. 820 FILED ON: 1/19/2011

HOUSE . . . . . No. 243

By Mr. Miceli of Wilmington, a petition (accompanied by bill, House, No. 243) of James R. Miceli relative to ordinances or by-laws applicable to landfills, transfer stations, recycling centers and sanitary waste disposal sites. Environment, Natural Resources and Agriculture.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE
HOUSE
, NO. *782* OF 2009-2010.]

The Commonwealth of Massachusetts

An Act relative to solid waste disposal facilities.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Section 150A of chapter 111 of the General Laws, as appearing in the 2006 Official Edition, is hereby amended by inserting after the 18th paragraph the following paragraph:-

Nothing in this section shall be deemed to prevent or restrict a city or town from enacting or enforcing zoning ordinance or by laws pursuant to chapter 40A or any other authorizing statutes which ordinances or by-laws are applicable to landfills, transfer stations, recycling centers and sanitary waste disposal sites provided that such ordinances or by-laws do not prevent closure activities, maintenance activities or assessment activities which are necessary to protect the public health, public safety or the environment as determined by the department based on substantial evidence.