

HOUSE No. 812

By Mr. Miceli of Wilmington, petition of James R. Miceli and Suzanne Sullivan relative to solid waste disposal facilities. Environment, Natural Resources and Agriculture.

The Commonwealth of Massachusetts

In the Year Two Thousand and Seven.

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:

- 1 Section 150A of Chapter 111 of the General Laws, as appearing
- 2 in the 2004 Official Edition, is hereby amended by inserting after the
- 3 18th paragraph the following paragraph:—
- 4 Nothing in this section shall be deemed to prevent or restrict a
- 5 city or town from enacting or enforcing zoning ordinance or by laws
- 6 pursuant to Chapter 40A or any other authorizing statutes which
- 7 ordinances or by-laws are applicable to landfills, transfer stations,
- 8 recycling centers and sanitary waste disposal sites provided that such
- 9 ordinances or by-laws do not prevent closure activities, maintenance
- 10 activities or assessment activities which are necessary to protect the
- 11 public health, public safety or the environment as determined by the
- 12 department based on substantial evidence.