



CITY OF BOSTON IN CITY COUNCIL

IN THE YEAR TWO THOUSAND TWENTY THREE

HOME RULE PETITION

- WHEREAS:* The Beacon Hill Historic District ("District") was created by Chapter 616 of the acts of 1955 (the "Enabling Act"), originally encompassing only the South Slope of Beacon Hill of Boston, with the intent of protecting historically important architectural features on Beacon Hill, and thereafter the Enabling Act was amended several times to enlarge the District to include more areas of Beacon Hill, including the entire Flat of Beacon Hill but only part of the North Slope of Beacon Hill; *and*
- WHEREAS:* When almost all of Beacon Hill's North Slope was added to the District by Chapter 622 of the Acts of 1963, a section of the North Slope was not included in the District, specifically an approximately 40-foot-wide area running from Charles Circle to Bowdoin Street along the Beacon Hill side of Cambridge Street ("40-Foot-Wide Area"); *and*
- WHEREAS:* There are numerous historically significant buildings in the 40-Foot-Wide Area, including the 1896 Puffer Building, located at 214-218 Cambridge Street; *and*
- WHEREAS:* In 1963, there was some concern that an expanded District encompassing the entire North Slope might interfere with the City of Boston's plans at that time to build a new fire station on the Beacon Hill side of Cambridge Street, to accommodate Engine Company 4 and Ladder Company 24, which has since been constructed at 200 Cambridge Street; *and*
- WHEREAS:* Especially given the significant new development project proposed by Massachusetts General Hospital expected to begin construction shortly, it is now important that the District be extended all the way down the North Slope of Beacon Hill to Cambridge Street, so as to bring those historic buildings that remain on the Beacon Hill side of Cambridge Street into the architectural protections afforded by the District and discourage their future demolition; *and*
- WHEREAS:* Another change being proposed would give the Beacon Hill Architectural Commission ("BHAC") the specific authority to levy fines for violations of the Enabling Act, as the Enabling Act currently provides for such fines to be imposed on violators of the historic preservation rules set forth therein, but does not specifically state that the BHAC can levy such fines, for which reason the BHAC does not currently levy fines to punish violations of the Enabling Act and the Beacon Hill Architectural Guidelines ("Guidelines"); *and*

WHEREAS: A further proposed change would require that any reconstruction that is done to an exterior historic architectural feature in the District after it is fully or partially altered or demolished for any reason of public safety must be done within the architectural requirements of the Enabling Act and Guidelines; *NOW THEREFORE BE IT*

ORDERED: That a petition to the General Court, accompanied by a bill for a special law relating to the City of Boston to be filed with an attested copy of this Order be, and hereby is, approved under Clause One (1) of Section Eight (8) of Article Two (2), as amended, of the Amendments to the Constitution of the Commonwealth of Massachusetts, to the end that legislation be adopted precisely as follows, except for clerical or editorial changes of form only.

**PETITION FOR A SPECIAL LAW RE: AN ACT TO MAKE CERTAIN
CHANGES IN THE LAW RELATIVE TO THE HISTORIC BEACON HILL DISTRICT.**

SECTION 1. Chapter 616 of the acts of 1955, as amended by chapters 314 and 315 of the acts of 1958, chapter 622 of the acts of 1963, chapter 429 of the acts of 1965, chapter 741 of the acts of 1975, and chapter 450 of the acts of 2008, is hereby amended by striking section 1C as appearing in chapter 622 of the acts of 1963 and inserting in place thereof the following section:

“Section 1C: The Historic Beacon Hill District, created by section one and enlarged and extended by sections one A and one B, is hereby further enlarged and extended to include an area contiguous thereto bounded as follows: -northerly by the southerly sideline of Cambridge street; easterly by Bowdoin street; southerly by Derne and Myrtle streets; westerly by Irving street; generally southerly by the northerly, easterly and westerly boundaries of the area defined in section one B; southerly by Revere street; westerly and northerly by Embankment road; and northerly by the southerly sideline of Charles street circle and Cambridge street; and including the traffic island in Charles street circle; and all estates therein, including the estates located at 131 and 141 Cambridge street and 2-16 Lynde street.”

SECTION 2. The first paragraph of section 11 of chapter 616 of the acts of 1955, as amended by chapter 314 of the acts of 1958 and chapter 429 of the acts of 1965, is hereby further amended by adding at the end the following sentence:

“The commission may levy such fine or fines on whoever violates this act, after due notice and public hearing.”

SECTION 3. Said chapter 616 of the acts of 1955, as amended by chapters 314 and 315 of the acts of 1958, is hereby further amended by striking section 9 and inserting in place thereof the following section:

“Section 9. *Exclusions.* – Nothing in this act shall be construed to prevent any ordinary maintenance or repair of an exterior architectural feature now or hereafter in the historic Beacon Hill district which involves no change in design, material, color or outward appearance thereof, nor shall anything in this act preclude the full or partial alteration, demolition or reconstruction by or at the direction of the City of Boston, of the sidewalks running along the south side of Cambridge street, nor shall anything in this act be construed to prevent the full or partial alteration or demolition of any feature, which the building commissioner shall certify to the commission, with such advance notice as practicable, is

immediately required on an emergency basis because of an imminent unsafe or dangerous condition; provided, however, that any reconstruction after full or partial alteration or demolition shall be otherwise subject to all of the requirements of this act.”

SECTION 4. This act shall take effect upon passage.