

HOUSE No. 4754

Substituted by the House, on motion of Mr. Speliotis of Danvers, for a bill with the same title (House, No. 3828). December 8, 2016.

The Commonwealth of Massachusetts

**In the One Hundred and Eighty-Ninth General Court
(2015-2016)**

An Act authorizing the city of Everett to establish a linkage fee revolving fund.

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 city of Everett may, by ordinance, require the payment of an affordable
2 housing linkage fee for any project, including a planned unit development project, that: (1)
3 requires zoning relief, including without limitation, a variance, special permit, special permit
4 with site plan review or site plan approval; and (2) contains a single use or combination of uses
5 exceeding a square foot threshold to be determined from time to time by the city council. The
6 ordinance shall specify the dollar amount of the affordable housing linkage fee, the method by
7 which it shall be increased from time to time and the types of uses to which it shall apply.

8 SECTION 2. (a) Notwithstanding section 53 of chapter 44 of the General Laws or any
9 other general or special law to the contrary, the city of Everett may establish a separate fund to
10 be known as the Affordable Housing Linkage Fee Revolving Fund which shall be kept separate
11 and apart from all other monies of the city by the city of Everett treasurer and into which shall be
12 deposited all affordable housing linkage fees received by the city of Everett. The fund shall be
13 used for the construction or rehabilitation of affordable housing within the city of Everett. For

14 the purposes of this act, “affordable housing”, shall mean housing for individuals or families
15 with incomes at or below 110 per cent of area median income. Area median income shall be
16 calculated by the United States Department of Housing and Urban Development, or any
17 successor agency, and shall be adjusted for family size. The mayor shall administer the fund for
18 those purposes.

19 (b) Annually, on or before July 1, the mayor shall file a report with the city council
20 regarding the administration of the fund. The annual report shall include: (1) the current balance
21 of the fund; (2) any monies deposited into the fund; and (3) expenditures of the fund. The city
22 council shall accept the report of the fund.

23 (c) The treasurer may invest such funds in the manner authorized by section 54 of said
24 chapter 44.

25 SECTION 3. This act shall take effect upon its passage.