HOUSE DOCKET, NO. 1185 FILED ON: 1/20/2011

HOUSE . . . . . No. 1461

The Commonwealth of Massachusetts

PRESENTED BY:

Martha M. Walz

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 amending the municipal ticket law.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Martha M. Walz	*8th Suffolk*
Alice K. Wolf	*25th Middlesex*

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By Ms. Walz of Boston, a petition (accompanied by bill, House, No. 1461) of Martha M. Walz and Alice K. Wolf relative to the issuance of certain tickets by municipal officers and inspectors. Municipalities and Regional Government.

The Commonwealth of Massachusetts

An Act amending the municipal ticket law.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide all municipalites with effective fine collection measures, therefore, it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

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. Chapter 40U, as inserted by chapter 26 of the Acts of 2010, is hereby amended by striking section 8 and inserting in place thereof the following section:-

Section 8. Every officer and inspector who takes notice of a violation of a rule, regulation, order, ordinance or by-law regulating the housing, sanitary or snow and ice removal requirement shall provide the offender with written notice to appear before the municipal hearing officer or the hearings officer's designee during regular office hours not later than 21 days after the date of such violation.

SECTION 2. Said chapter 40U, as so appearing, is hereby further amended by striking section 9 and inserting in place thereof the following section:-

Section 9. The written notice of any violation shall either be affixed securely to the property or building or mailed promptly to the owner of the property or building via regular mail or, for a property or building with an onsite professionally-managed property office, mailed promptly via regular mail or delivered to the office during normal business hours. The written notice of the violation shall contain, but shall not be limited, to: the date, time and place of the violation, the specific violation charged, the name and badge number of the officer or inspector and his division, a schedule of payment for established fines and instructions for return of the notice of violation.

18 SECTION 3. Said chapter 40U, as so appearing, is hereby further amended by striking
19 section 10 and inserting in place thereof the following section:-

20 Section 10. Within 3 business days after completion of each shift, the officer or inspector
21 shall cause copies, in either written or electronic form, of each notice of a violation issued during
22 such shift to be retained and preserved and to be delivered to the municipal hearing officer. The
23 municipal hearing officer shall maintain a docket of all such notices.