

**HOUSE . . . . . No. 3561**

---

---

The Commonwealth of Massachusetts

---

HOUSE OF REPRESENTATIVES, June 1, 2015.

The committee on Bills in the Third Reading, to whom was referred the Bill relative to the interest rate on sewer assessments in the town of Stoughton (House, No. 3268), reports recommending that the same be amended by substitution of the accompanying bill (House, No. 3561), and that when so amended the same will be correctly drawn.

For the committee,

THEODORE C. SPELIOTIS.

**HOUSE . . . . . No. 3561**

---

**The Commonwealth of Massachusetts**

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

An Act relative to the interest rate on sewer assessments in the town of Stoughton.

*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. Section 6 of chapter 86 of the acts of 1911 is hereby amended by striking  
2 out the fourth sentence , as most recently amended by section 1 of chapter 583 of the acts of  
3 1981, and inserting in place thereof the following sentence:- For the purpose of fixing the  
4 amount of such assessments the board shall determine the value of the special benefit to each of  
5 said estates, respectively, from said system or systems of sewers, taking into account all the  
6 circumstances of the case; and the proportionate part to be paid by the owners of said estates,  
7 respectively, shall be based upon the amount of the special benefit to each estate, determined as  
8 aforesaid; and every such owner shall, within 3 months after written notice of such assessment,  
9 served on him or on the occupant of his estate, or sent by mail to the last address of such owner  
10 known to said board of sewer commissioners, pay the sum so assessed to the collector of taxes of  
11 said town; provided, that said board may, and on the written request of any such owner made  
12 within the said 3 months shall, apportion such assessment into 10 equal parts or assessments; and  
13 said board shall certify such apportionment to the assessors of the town and 1 of said parts or  
14 installments, with interest, from the date of commitment to the collector to the date when interest

15 on taxes becomes due and payable, at 5 per cent per annum or, at the election of the town, at a  
16 rate equal to 2 per cent above the rate of interest chargeable to the town for the betterment  
17 project to which the assessment relates, on the unpaid balance, shall be added by the assessors to  
18 the annual tax on such estate for each year next ensuing, until all of said parts have so been  
19 added, unless sooner paid as hereinafter provided; and provided, further, that nothing herein  
20 contained shall be construed to prevent the payment at any time in 1 payment, notwithstanding  
21 its prior apportionment, of any balance of said assessments then remaining unpaid, but interest  
22 on such balance at the rate of five per cent per annum or, at the election of the town, at a rate  
23 equal to 2 per cent above the rate of interest chargeable to the town for the betterment project to  
24 which the assessment relates, shall be paid to the date of such payment, and thereupon the  
25 collector of taxes of said town shall receive the same and shall certify such payment or payments  
26 to the assessors who shall preserve a record thereof.

27 SECTION 2. Section 7 of said chapter 86, as amended by section 2 of said chapter 583 ,  
28 is hereby further amended by striking out the first sentence and inserting in place thereof the  
29 following sentence:- An assessment made under the provisions of section 6 shall constitute a lien  
30 upon the estate, which shall continue for 3 years after it is made and notice served as above  
31 provided, or in case of apportionment, until the expiration of 2 years from the time when the last  
32 installment is committed to the collector of taxes; and said assessment, if not paid within 3  
33 months after service of said notice, or, if apportioned, within 3 months after any part has become  
34 due, may, together with interest thereon at the rate of 5 per cent per annum or, at the election of  
35 the town, at a rate equal to 2 per cent above the rate of interest chargeable to the town for the  
36 betterment project to which the assessment relates, with incidental costs and expenses, be levied

37 by the collector by sale of such estate, or so much thereof as shall be sufficient to discharge the  
38 assessment and interest and intervening charges.

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