

**HOUSE . . . . . No. 3358**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

*Chris Walsh*

*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 adoption of the accompanying bill:

An Act authorizing the town of Framingham to place municipal charge liens on certain properties in the town of Framingham for nonpayment of any local charges, fee or fine.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Chris Walsh</i>	<i>6th Middlesex</i>	<i>1/17/2013</i>
<i>Thomas P. Conroy</i>	<i>13th Middlesex</i>	<i>1/31/2013</i>
<i>Tom Sannicandro</i>	<i>7th Middlesex</i>	<i>1/23/2013</i>

**HOUSE . . . . . No. 3358**

By Mr. Walsh of Framingham, a petition (accompanied by bill, House, No. 3358) of Chris Walsh, Thomas P. Conroy and Tom Sannicandro (by vote of the town) relative to authorizing the town of Framingham to place municipal charge liens on certain properties for nonpayment of any local charges, fees or fines. Municipalities and Regional Government. [Local Approval Received.]

**The Commonwealth of Massachusetts**

**In the Year Two Thousand Thirteen**

An Act authorizing the town of Framingham to place municipal charge liens on certain properties in the town of Framingham for nonpayment of any local charges, fee or fine.

*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. (a) The town of Framingham may impose a lien on property located within  
2 the town for any local charge, fee or fine that has not been paid by the due date. This lien shall be  
3 known as a municipal charges lien. For purposes of this act, local charge, fee or fine shall mean  
4 any charge, fee or fine imposed by the town pursuant to town bylaws, town regulations, statute  
5 or state regulations and any charge, fee or fine imposed by a state court payable to the town as a  
6 result of any enforcement action initiated by town officials of town bylaws, town regulations,  
7 statute, or state regulations.

8 (b) A lien authorized under this act shall take effect upon recording of the unpaid  
9 municipal charge, fee or fine, by parcel of land and by the name of the property owner assessed  
10 for the fine in the southern district of the registry of deeds of Middlesex county.

11 (c) If a charge, fee or fine, which is secured by a municipal charges lien, remains unpaid  
12 when the assessors are preparing a real estate tax list and warrant to be committed under section  
13 53 or chapter 59 of the General Laws, then the board or officer in charge of the collection of the  
14 municipal charge, fee or fine shall certify such charge, fee or fine to the assessors, who shall  
15 forthwith add such charge, fee or fine to the tax on the property to which it relates and commit it  
16 with their warrant to the collector of taxes as part of such tax.

17 (d) If the property to which such charge, fee or fine relates is tax exempt, the charge, fee  
18 or fine shall be committed as the tax.

19 (e) A lien under this section may be discharged by filing in the southern district of the  
20 registry of deeds of Middlesex county, a certificate from the tax collector that all municipal  
21 charges, fees or fines constituting the lien, together with any interest and costs thereon, have  
22 been paid or legally abated.

23 (f). All costs of recording or discharging a lien under this act shall be borne by the owner  
24 of the property.

25 (g) Prior to any lien being imposed for any local charge, fee or fine as defined by this act,  
26 a by-law shall be established by a vote of town meeting specifying each type of charge, fee or  
27 fine to be collected pursuant to this act.

28 SECTION 2. This act shall take effect upon its passage.