

SENATE No. 1772

The Commonwealth of Massachusetts

PRESENTED BY:

Bruce E. Tarr

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 to authorize the town of Hamilton to impose a lien upon property in the towns of Wenham and Essex to secure unpaid water fees and charges.

PETITION OF:

NAME:

DISTRICT/ADDRESS:

Bruce E. Tarr

First Essex and Middlesex

Bradford Hill

4th Essex

SENATE No. 1772

By Mr. Tarr, a petition (accompanied by bill, Senate, No. 1772) of Bruce E. Tarr and Bradford Hill (by vote of the town) for legislation to authorize the town of Hamilton to impose a lien upon property in the towns of Wenham and Essex to secure unpaid water fees and charges .
Municipalities and Regional Government. [Local Approval Received.]

The Commonwealth of Massachusetts

In the Year Two Thousand Thirteen

An Act to authorize the town of Hamilton to impose a lien upon property in the towns of Wenham and Essex to secure unpaid water fees and charges.

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. Notwithstanding section 4A of chapter 40 of the General Laws or any other
2 general or special law to the contrary, the town of Hamilton may enter into agreements with the
3 towns of Wenham and Essex for a term in excess of twenty-five (25) years to allow certain
4 residential properties in the towns of Wenham or Essex to connect to and use the water system of
5 the town of Hamilton. The town of Hamilton may impose a lien upon property in the towns of
6 Wenham or Essex which is, or in the future will be, connected to the water system established
7 within the town of Hamilton pursuant to section 39A of chapter 40 of the General Laws. Such
8 lien shall secure unpaid fees and charges relative to connection to or use of the water system so
9 established. If a charge or fee secured by the lien remains unpaid when the assessor of the town
10 of Wenham or Essex is preparing a real estate tax list and warrant, upon request by the town of
11 Hamilton, the charge or fee shall be added to the tax on such property pursuant to section 58 of
12 chapter 40 of the General Laws. Upon receipt of tax payments which include a charge or fee
13 imposed pursuant to the agreement authorized by this act, the town of Wenham or Essex shall
14 forthwith transfer such charge or fee payment to the town of Hamilton. In the event that the town
15 of Wenham or Essex forecloses the right of redemption on a tax lien which includes any charges
16 or fees due to the town of Hamilton, the fees or charges due to the town of Hamilton shall
17 survive the foreclosure of the right of redemption of the tax lien, and shall be due and payable,
18 together with all accrued interest, upon conveyance thereafter by the town of Wenham or Essex
19 to any person or governmental entity not a part of the town of Wenham or Essex.

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