

**SENATE . . . . . No. 2156**

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The Commonwealth of Massachusetts

PRESENTED BY:

***Mark C. Montigny***

*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 establishing a special fund for recaptured funds from demolition liens or related grants in the town of Fairhaven.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Mark C. Montigny</i>	<i>Second Bristol and Plymouth</i>
<i>William M. Straus</i>	<i>10th Bristol</i>

**SENATE . . . . . No. 2156**

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By Mr. Montigny, a petition (accompanied by bill, Senate, No. 2156) of Mark C. Montigny and William M. Straus (by vote of the town) for legislation to establish a special fund from demolition liens or related grants in the town of Fairhaven. Municipalities and Regional Government. [Local Approval Received.]

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The Commonwealth of Massachusetts

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In the One Hundred and Ninetieth General Court  
(2017-2018)  
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An Act establishing a special fund for recaptured funds from demolition liens or related grants in the town of Fairhaven.

*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) Notwithstanding section 53 of chapter 44 of the General Laws or any  
2 other general or special law to the contrary, the town of Fairhaven may create a special fund for  
3 the deposit of any proceeds to the town of Fairhaven from funds paid, recovered by actions in  
4 contract, recaptured through liens, or received from government or private grants or local  
5 appropriations for the repair, demolition, or making safe of structures or premises which are  
6 dangerous, abandoned, unsafe or uninhabitable, or which constitute a nuisance or a fire hazard.  
7 Interest earned on the fund shall be treated as general fund revenue of the town. Any balance  
8 remaining in the fund at the end of a fiscal year shall carry over to the next fiscal year and  
9 subsequent fiscal years thereafter if not expended for the purposes set forth in this act and not  
10 otherwise appropriated by vote of the town meeting.

11 (b) Proceeds from the fund shall be used at the discretion of the town administrator, in  
12 consultation with the board of selectmen, the building commissioner, the board of health and the  
13 fire chief, without further appropriation, to secure, clear, make safe, repair or demolish structures  
14 or premises which are dangerous, abandoned, unsafe or uninhabitable, or which constitute a  
15 nuisance or a fire hazard.

16 Expenditures shall not be made and liabilities shall not be incurred in excess of the  
17 balance of the fund.

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