

Article 3.11 Licenses or Permits - Revocation or Suspension Non-Payment of Taxes or Assessments

Section 3.11.1

Authority. The bylaw is adopted pursuant to the provisions of Chapter 649 of the Acts of 1985, amending Chapter 40, Section 57 of the Massachusetts General Laws, accepted by the Town under Article 67 of the May 12, 1986 annual town meeting.

Section 3.11.2

Right to Revoke or Suspend Licenses or Permits for Non-Payment of Taxes or Assessments.

- a. Any town board, officer, or department may deny any application for, or revoke or suspend a building permit or any local license or permit including renewals and transfers, to any person, corporation or business enterprise with respect to any activity, event or other matter which is the subject of such license or permit and which activity, event or other matter is carried out or exercised on or about real estate whose owner has neglected or refused to pay any local taxes, fees, assessments, betterments or any other municipal charges, including amount assessed under the provisions of section twenty-one D.
- b. The Town Collector shall annually furnish to each department, board, commission or division, hereinafter referred to as the licensing authority, that issues licenses or permits including renewals and transfers, a list of any person, corporation, or business enterprise, hereinafter referred to as the party, that neglected or refused to pay any local taxes, fees, assessments, betterments for any other municipal charges for not less than a twelve month period, and that such party has not filed in good faith a pending application for an abatement for such tax or a pending petition before the appellate tax board or county commissioners. *
- c. The licensing authority may deny, revoke or suspend any license or permit, including renewals and transfers of any party whose name appears on said list furnished to the licensing authority from the town collector; provided, however, that written notice is given to the party and the town collector, as required by applicable provisions of law, and the party is given a hearing, to be held not earlier than fourteen days after said notice. Said list shall be prima facie evidence for denial, revocation or suspension of said license or permit to any party. The town collector shall have the right to intervene in any hearing conducted with respect to such license denial, revocation or suspension. Any findings made by the licensing authority with respect to such license denial, revocation or suspension shall be made only for the purposes of such proceeding and shall not be relevant to or introduced in any other proceeding at law, except for any appeal from such license denial, revocation or suspension. Any license or permit denied, revoked or suspended under this bylaw shall not be reissued or renewed until the licensing authority receives a certificate issued by the tax collector that the party is in good standing with respect to any and all local taxes, fees, assessments, betterments or other municipal charges, payable to the municipality as of the date of issuance of said certificate. *
- d. Any party shall be given an opportunity to enter into a payment agreement, thereby allowing the licensing authority to issue a certificate indicating said limitations to the license or permit and the validity of said license shall be conditioned upon the satisfactory compliance with said agreement. Failure to comply with said agreement shall be grounds for the suspension or revocation of said license or permit; provided, however, that the holder be given notice and a hearing as required by applicable provisions of law.

- e. The board of selectmen may waive such denial, suspension, or revocation if it finds that there is no direct or indirect business interest by the property owner, its officers or stockholders, if any, or members of his immediate family, as defined in section one of chapter two hundred and sixty eight in the business or activity conducted on such property.