

Town of Charlton
OFFICE OF THE TOWN CLERK
37 Main Street
Charlton, MA 01507
508-248-2249



VOTE CERTIFICATE

TOWN OF CHARLTON

At a legal meeting/election of the qualified voters of the Town of Charlton, held May 15, 2023, the following business was transacted under Article: 14

ARTICLE 14. MUNICIPAL CHARGES LIEN BYLAW

To see if the Town will vote to amend the General Bylaws by inserting therein the following, the Chapter designation to be such as the Town Clerk determines to be most appropriate, or take any action relative thereto or thereon.

CHAPTER ___ - MUNICIPAL CHARGES LIENS

Section 1. Authority

This by-law is adopted pursuant to the authority of M.G.L. c. 40, § 21 and c. 40 § 58 and any other relevant statutes and regulations.

Section 2. Purpose

The purpose of the establishment of a Municipal Charges Lien is to provide a cost effective method of collecting a charge, fine, penalty and/or fee assessed against an owner of real property in the Town who fails and/or refuses to pay said charge or charges, fine or fines, penalty or penalties and/or fee or fees when due, by placing a lien upon real estate owned by the property owner.

Section 3. Charge and/or Fee

The Municipal Charges Lien shall apply to the following municipal charges, penalties, fines and fees, including interest and all costs to record said lien(s) in the Worcester District Registry of Deeds, for violations of the following unpaid by the due date:

- a) Charlton Zoning Bylaw.
- b) Building permit fees inspections, failure to obtain permits as set by the Board of Selectmen in accordance with the Massachusetts State Building Code 780 CMR section 109.1
- c) Wiring permit fees, inspections, failure to obtain permits as set by the Board of Selectmen in accordance with the Massachusetts State Board of Fire Prevention Regulations 527 CMR Section 12
- d) Plumbing permit fees, inspections, failure to obtain permits as set by the Board of Selectmen in accordance with the Massachusetts State Examiners of Plumbers and Gas Fitters, 248 CMR Section 3.05 (1)(g)4

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- f) Inspection fees issued by the Sealer of Weights & Measures in accordance with MGL c. 98, Section 56
- g) Fines issued in accordance with 527 CMR 1.00 – Massachusetts Comprehensive Fire Safety Code
- h) Fines issued in accordance with MGL c. 40 Section 21D, General Bylaws Chapter 10 - Penalties
- i)

Section 4. Lien Takes Effect

The Municipal Charges Lien will take effect upon the recording of a statement of unpaid municipal charges, fines, penalties and fees, setting forth the amount due, including recording costs, the address(es) of the land to which the lien is to apply and the name of the assessed owner.

Section 5. Collection of the Lien

Collection of the lien shall be enforced in accordance with MGL Chapter 40 Section 58 and Chapter 41 Section 38A.

Section 6. Unpaid Municipal Charges Liens

- a) If a charge, fine, penalty or fee secured by the lien is unpaid when the Assessors are preparing the real estate tax list and warrant, the Tax Collector shall certify the charge or penalty to the Assessors' Department and the Assessors shall add the charge or fee to the next property tax bill to which it relates, and commit it with the warrant to the collector as part of the tax.
- b) If the property to which the charge, fine, penalty and/or fee relates is tax exempt, the charge or fee shall be committed as a tax on said property.

Section 7. Release of Lien

The Municipal Charges Lien may be discharged pursuant to MGL Chapter 40, Section 58.

SPONSOR: BUILDING COMMISSIONER AND BOARD OF SELECTMEN

MOTIONS:

1. I move that the town vote to amend its general bylaws by accepting Article 14 as printed with the exception of Section 3, paragraphs a through h. [Majority Vote Needed.]
2. I move that Section 3, paragraph a), of the article be accepted as printed; [Majority Vote Needed.]
3. I move that Section 3, paragraph b), of the article be accepted as printed; [Majority Vote Needed.]
4. I move that Section 3, paragraph c), of the article be accepted as printed; [Majority Vote Needed.]
5. I move that Section 3, paragraph d), of the article be accepted as printed; [Majority Vote Needed.]
6. I move that Section 3, paragraph e), of the article be accepted as printed; [Majority Vote Needed.]
7. I move that Section 3, paragraph f), of the article be accepted as printed; [Majority Vote Needed.]
8. I move that Section 3, paragraph g), of the article be accepted as printed; [Majority Vote Needed.]
9. I move that Section 3, paragraph h), of the article be accepted as printed; [Majority Vote Needed.]

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RECOMMENDATION OF THE FINANCE COMMITTEE: Finance Committee supports this motions.

RECOMMENDATION OF THE BOARD OF SELECTMEN: Board of Selectmen support this motion.

Majority Vote Needed.

MOTION ONE PASSES BY MAJORITY VOTE 50 – YES, 27 – NO

MOTIONS TWO THROUGH NINE, EACH SEPARATELY VOTED, AND EACH PASSED BY MAJORITY VOICE VOTE

A True copy, Attest



Karen M. LaCroix
Town Clerk