

CHAPTER 121

LICENSES

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S121-1. Authority to deny, suspend or revoke.

Any board, officer or department of the town may deny any application for or revoke or suspend any license or permit not otherwise exempt under MGL C. 40, s 57, including renewals and transfers, for or if any person, corporation or business enterprise who has neglected or refused to pay any local taxes, fees, assessments, betterments or any other municipal charges or with respect to any activity, event or other matter which is the subject of such license or permit and which activity, event or matter is carried out or exercised or is to be 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 in accordance with the procedure under this chapter and any other applicable law.

S121-2. List of affected persons, corporations or businesses.

The Tax Collector or other municipal official responsible for records of all municipal taxes, assessments, betterments and other municipal charges, hereinafter referred to as the Tax Collector, shall at least annually furnish to each department, board, officer, 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, hereafter referred to as the party, that has neglected or refused to pay any local taxes, fees, assessments, betterments or 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 of such tax or a pending petition before the Appellate Tax Board or with respect to any activity, event or other matter which is the subject of such license or permit and which activity, event or matter is carried out or exercised or is to be carried out or exercised on or about real estate owned by any party whose name appears on said list or notification furnished to the Licensing Authority from the Tax Collector. A Licensing Authority may request from the Tax Collector at any time information concerning an applicant's obligation to pay local taxes, fees, assessments,

betterments or any other municipal charges.

S121-3. Notice; hearing.

- A. The Licensing Authority may deny, revoke or suspend any license or permit, including renewals and transfer, of any party whose name appears on said list furnished to the Licensing Authority from the Tax Collector, or any additional notification from the Tax Collector, relating to any local taxes, fees, assessments, betterments or other municipal charges for not less than a twelve-month period and for which such party has not filed in good faith a pending application for an abatement of such tax or a pending application for an abatement of such tax or a pending petition before the Appellate Tax Board; provided, however, that written notice is given to the party and the Tax Collector, as required by applicable provisions of law and the party is given a hearing to be held not earlier than fourteen (14) days after said notice. Said notice may be given at the time that the license or permit application is filed in a written notice that said license or permit application is filed in a written notice that said license or permit may be denied at the hearing on aid application should the applicant's name appear on any list or supplemental list as described aforesaid.
2. The list of supplemental list of the Tax Collector shall be prima facie evidence for denial, revocation or suspension of said license or permit to any party. The Tax Collector shall have the right to intervene in any hearing conducted with respect to such license or permit denial, revocation or suspension. Any findings made by the Licensing Authority with respect to such license or permit 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 or permit denial, revocation or suspension.

S121-4. Certificate of payment.

Any license or permit denied, suspended or revoked under this chapter shall not be granted, reissued or renewed until the License 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 the date of issuance of said certificate.

S121-5. Payment agreement

The license/permit applicant/holder shall be given the opportunity to enter into a payment agreement with the Licensing

Authority and the Tax Collector, if he or she so desires, pertaining to the sums owed or to be owed the town. Said agreement may involve a payment plan for the payment of aid sums to the town as well as any other reasonable term and condition relating to the payment of such sums as may be due the town. If such an agreement is entered into, the Licensing Authority, to the extent otherwise permitted by law, may grant said license or permit and issue a certificate indicating said limitations to the license or permit. The validity of said license or permit shall be conditioned upon the satisfactory compliance with said agreement. A failure to comply with any term or condition of the license or permit, the payment agreement or any other legal requirement shall be grounds for the suspension or revocation of said license or permit, After the holder of the same has been given notice and a hearing as required by applicable provision of law. Nothing in this chapter shall preclude the taking of other administrative action concerning the license or permit, to the extent permitted by law.

S121-6. Waiver

The Board of Selectmen may waive the denial, suspension or revocation provisions of this chapter if it finds 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 MGL C. 268A, s 1, in the business or activity conducted in or on said property and likewise with the business or activity utilizing the license or permit, its officers or stockholders, if any or members of his immediate family, as defined in MGL C. 268A, s 1, in the property or building.

S121-7. Construal of provisions.

Nothing contained herein shall affect the licensing obligations, duties and rights of any other Licensing Authority or the obligation of the licensee or property owner to comply with all applicable laws, rules and regulations.