



Town of Palmer

Bondsville, Depot Village, Thorndike & Three Rivers
"The Town of Seven Railroads"

Town Council

4417 Main Street
Palmer, MA 01069
Town: (413) 283-2603
rmcnutt@townofpalmer.com

Councilors

Barbara A. Barry
President

Lorinda Baker
Vice President

Robert Lavoie
Council Clerk

Matthew Lemieux

Michelle T. Sikes

Jessica Sizer

Karl S. Williams

Ryan McNutt
Town Manager

March 9, 2020

Sponsor: Administration

Vote
Ordinance 2020-02P

CHAPTER 106

LICENSES AND PERMITS

HISTORY: Adopted as indicated in article histories. Amendments noted where applicable.
ARTICLE I, Disposition Upon Nonpayment of Taxes (Adopted 10-27-1986 STM, Art. 10)
§106-1. List of parties failing to pay taxes. (Amended 3/9/2020)

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 annually, and may periodically, furnish to the Town Manager and 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 has neglected or refused to pay any local taxes, fees, assessments, betterments or other municipal charges 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.
(Amended Ord. 2007-12, RTCM 07/11/2007)

§106-2. Disposition by licensing authority; notice; hearing.

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 Tax Collector 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 furnished to the licensing authority from the Tax Collector; 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 list 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 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, suspended or revoked under this section shall not be 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.

§106-3. Payment agreements.

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.

§106-4. Waiver.

The Town Manager may waive such denial, suspension or revocation if he/she 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 §1 of Chapter 268A in the business or activity conducted in or on said property. (Amended Ord. 2007-12, RTCM 07/11/2007)

§106-5. Exceptions.

This article shall not apply to the following licenses and permits: opening burning, §13 of Chapter 48; bicycle permits, §11A of Chapter 85; sales of articles for charitable purposes, §33 of Chapter 101; children work permits, §69 of Chapter 149; Clubs, associations dispensing food and beverage licenses, §21E of Chapter 140; dog licenses, §137 of Chapter 140; fishing, hunting, trapping license, §12 of Chapter 131; marriage licenses, §28 of Chapter 207; theatrical events, public exhibition permits, §181 of Chapter 140.

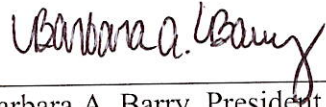
§106-6. Additional exceptions.

A city or town may exclude any local license or permit from this article by ordinance. (Amended Ord. 2007-12, RTCM 07/11/2007)

Proposed Amended Ordinance Submitted to Town Council	1/13/2020
Agenda item and First Reading at Regular Town Council Meeting	1/13/2020
Public Hearing was warned in Palmer Journal	1/23/2020 & 1/30/2020
Public Hearing was held in Palmer Town Building	2/10/2020
Second reading at Regular Town Council Meeting	2/10/2020
Vote on Ordinance at Regular Town Council Meeting and entered into the minutes of this meeting on	3/9/2020
Vote to approve Ordinance passed by a vote of <u>7</u> Yes, <u>0</u> No	3/9/2020
Posted in public places on	1/23/2020

Notice of adoption published in the Palmer Journal Register on
Effective Date

3/12/2020
4/2/2020



Barbara A. Barry, President



~~Ryan McNutt, Town Manager~~

Brad Brothers