

Town of Hardwick
Annual Town Meeting
June 13, 1992

Article #31

Voted unanimously for the Town of Hardwick to accept the provisions of M.G.L., Chapter 40, Section 57 authorizing the Town to adopt a general by-law by adding a new section:

Tax Collector

Suspension, revocation, and denial of local licenses and permits of person, corporation or businesses which have neglected to pay any local tax or municipal charge granting or renewal of licenses or permits as affected by the non-payment of a local tax, fee, assessment, betterment or other municipal charges.

- (A) The tax collector hereinafter referred to as the "Collector", shall annually furnish to each department, board, or commission, 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 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.
- (B) 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 by the Collector, and 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 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, and whose name appears on said list furnished to the Licensing Authority from the Collector: provided, however, that written notice is given to the Party and the Collector, as required by applicable provisions of the law, and the Party is given a hearing, to be held no 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 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 from any appeal from such license denial, revocation or suspension. Any license or permit denied, suspended or revoked under this by-law shall not be re-issued or renewed until the Licensing Authority receives a certificate issued by the 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 town as of the date of issuance of said certificate.⁽¹⁾

⁽¹⁾ As amended June 25, 1994, Article #9 – Special Town Meeting

(C) 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.

(D) The Board of Selectmen may waive such denial, suspension or revocation if it finds there is no direct or indirect business interest by the property owner, its officers, or stockholders, if any, or members of its immediate family as defined in Section One of Chapter 268A of the Massachusetts General Law in the business or activity conducted in or on said property.

(E) This section shall not apply to the following licenses and permits:

1. Open Burning	M. G. L.	Chapter	48,	Section	13
2. Bicycle Permit	“	“	85,	“	11A
3. Charitable Sales	“	“	101,	“	33
4. Fishing, Hunting, Trapping License	“	“	131,	“	12
5. Clubs/Association Dispensing Food or Beverage License	“	“	140,	“	21E
6. Dog License	“	“	140,	“	137
7. Theatrical Events, Public Exhibition Permits	“	“	140,	“	181
8. Child Work Permits	“	“	149,	“	69
9. Marriage License	“	“	207,	“	28