



Boston City Council

Committee on Government Operations

Maureen Feeney, *Chair*

March 9, 2010

Dear Councillors:

The Committee on Government Operations held a public hearing to discuss a message and order to accept the provisions of Chapter 40U of the Massachusetts General Laws, enacted as Chapter 26 of the Acts of 2010, An Act Relative to Unpaid Municipal Fines (Docket #0280). This matter was sponsored by Mayor Thomas M. Menino, was referred to this Committee on Wednesday, February 24, 2010, and discussed at a public hearing on Friday, March 5th, 2010.

Chapter 40U allows cities and towns to adopt procedures for the payment of municipal fines such as housing and sanitary code violations similar to the manner used for non-criminal disposition of penalties for traffic and parking tickets. Acceptance of this law would allow the City to commit unpaid fines to the property's property tax bill, securitizing the fine as a lien on the violator's property. Also, it would streamline the fine appeal process and would give property owners an incentive to correct violations quickly.

At the public hearing, there was verbal testimony from State Representative Aaron Michlewitz (3rd Suffolk District), Commissioner Bill Good (Inspectional Services Department) and Attorney Henry Luthin (City Law Department). Their testimony supports the city's adoption of this local option. It was noted that this legislation will now provide the city of Boston a greater ability to hold violators more accountable.

Furthermore, several private citizens and community organizations, including the Community Alliance of Mission Hill, the Beacon Hill Civic Association, the Neighborhood Association of the Back Bay and the North End/Waterfront Residents' Association expressed their appreciation and support of the legislation through their testimony.

The only change to the legislation is the reference to the section of Massachusetts General Laws. The original Statehouse bill created Chapter 40T, however, by the time it passed there was another chapter 40T and this became Chapter 40U.

By the Chair of the Committee on Government Operations, to which the following was referred:

Docket # 0280, Message and order to accept the provisions of Chapter 40T (now known as 40U) of the Massachusetts General Laws, enacted as Chapter 26 of the Acts of 2010, An Act Relative to Unpaid Municipal Fines

based on information presented at the hearing and public comment gathered by the Committee and having considered the same, respectfully recommends that this matter ought to pass in a new draft.

Maureen Feeney, *Chair*
Committee on Government Operations

ORIGINAL PROPOSED DRAFT

(NEW DRAFT ATTACHED)



CITY OF BOSTON • MASSACHUSETTS

OFFICE OF THE MAYOR
THOMAS M. MENINO

February 11, 2010

TO THE CITY COUNCIL

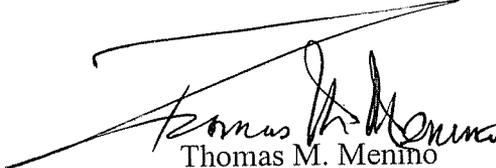
Dear Councilors:

I submit herewith an order to accept the provisions of Chapter 40T of the General Laws of Massachusetts enacted on February 10 as Chapter 26 of the Acts of 2010, An Act Relative to Unpaid Municipal Fines.

Chapter 40T allows cities and towns to adopt procedures for the payment of municipal fines such as housing and sanitary code violations similar to the manner non-criminal disposition of penalties for traffic and parking tickets is handled. Acceptance of this law would also allow the City to commit unpaid fines to the property's property tax bill, securitizing the fine as a lien on the violator's property. In addition, it would go a long way to streamlining the fine appeal process and would give property owners an incentive to correct violations quickly.

I respectfully recommend the acceptance of Chapter 40T by your Honorable Body.

Sincerely,


Thomas M. Menino
Mayor of Boston

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2010 FEB 23 A 9:58
BOSTON, MA

CITY OF BOSTON
IN CITY COUNCIL

March 9 20 10

THE COMMITTEE/CHAIR Government Operations
RESPECTFULLY REPORTS THAT THE MATTER
WITHIN OUGHT TO PASS IN THE ACCOMPANYING
NEW DRAFT.

Maureen Feeley
CHAIR

CITY CLERK

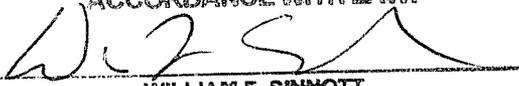
ACCEPTED,

**CITY OF BOSTON
IN CITY COUNCIL**

**ORDER TO ACCEPT THE PROVISIONS OF CHAPTER 40T OF THE
MASSACHUSETTS GENERAL LAWS**

ORDERED: that Chapter 40T of the Massachusetts General Laws, enacted as Chapter 26 of the Acts of 2010, An Act Relative to Unpaid Municipal Fines, be and hereby is accepted by the City of Boston in accordance with MGL Chapter 40T Section 2.

**I HEREBY CERTIFY THAT
THE FOREGOING, IF PASSED IN
THE ABOVE FORM, WILL BE IN
ACCORDANCE WITH LAW.**


WILLIAM F. SINNOTT
CORPORATION COUNSEL *WFS*

00280

*In City Council REFERRED TO
COMMITTEON*

FEB 24 2010

Government Operations

NEW DRAFT

(ORIGINAL DRAFT ATTACHED)

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