

HOUSE No. 1317

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, March 9, 1934.

The committee on Municipal Finance, to whom was referred the petition (accompanied by bill, Senate, No. 236) of Joseph L. Hurley, mayor of the city of Fall River, for legislation to authorize and regulate the expenditure of money by municipalities for the preservation, care and insurance of real property held by them under tax title, report the accompanying bill (House, No. 1317).

For the committee,

JOHN HALLIWELL.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Thirty-Four.

An Act authorizing and regulating the Expenditure of Money by Municipalities for the Preservation, Care and Insurance of Real Property held by them under Tax Title.

1 *Whereas*, The deferred operation of this act would
2 in part defeat its purpose, therefore this act is hereby
3 declared to be an emergency law, necessary for the
4 immediate preservation of the public convenience.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section five of chapter forty of the
2 General Laws, as most recently amended by section
3 three of chapter three hundred and eighteen of the
4 acts of nineteen hundred and thirty-three, is hereby
5 further amended by inserting after the word "dollars"
6 in the one hundred and seventy-eighth line, as printed
7 in the Tercentenary edition, the following new para-
8 graph:—

9 (38) Subject to the provisions of section sixty A
10 of chapter sixty for the protection of its interest in,
11 for the preservation and care of, and the insurance
12 of its interest in, real estate to which it holds title
13 by a taking of the same for taxes and which has been
14 abandoned or not reasonably maintained or cared
15 for by its owner of record or other party in interest.

16 For the purposes of this paragraph a certificate of
17 the mayor or selectmen approved by the commis-
18 sioner of corporations and taxation filed with the city
19 or town clerk that such real estate has been abandoned
20 or not reasonably maintained or cared for shall be
21 conclusive evidence of the facts therein set forth.

1 SECTION 2. Chapter sixty of the General Laws is
2 hereby amended by inserting after section sixty, as
3 appearing in the Tercentenary edition thereof, the fol-
4 lowing new section: —

5 *Section 60A.* Prior to the expenditure by a city or
6 town of money under paragraph (38) of section five
7 of chapter forty for the protection of its interest in,
8 for the preservation and care of, or the insurance of
9 its interest in, real estate to which it holds title by a
10 taking for taxes, the collector shall make written de-
11 mand upon the owner of record of such real estate
12 that he preserve, care for and maintain the same.
13 Said demand shall be served upon such owner by
14 mailing the same, postage prepaid, to him at his last
15 known residence or place of business, and by posting
16 a copy thereof upon said premises. Said demand
17 shall fix a time which, except in case of emergency,
18 shall be not less than seventy-two hours after its
19 date, within which such owner shall comply with its
20 terms. All costs and charges incurred hereunder
21 shall constitute a lien upon the real estate in ques-
22 tion, and the provisions of law relative to the collec-
23 tion of taxes shall, so far as applicable, apply to the
24 collection of such costs and charges.

