

HOUSE No. 938

By Mr. Capraro of Boston (by request), petition of Howard M. Strong, Jr., relative to the authority of the city of Boston to fix by ordinance certain fees and charges. Cities.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Fifty-Seven.

AN ACT RELATIVE TO THE AUTHORITY OF THE CITY OF BOSTON
TO FIX BY ORDINANCE CERTAIN FEES AND CHARGES.

*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 1 of chapter 222 of the acts of 1949 is
2 hereby amended by inserting in the first sentence of said sec-
3 tion, after the word "and" in the tenth line thereof, the
4 words:— common victualler licenses issued under section 2
5 of chapter 140, and, — so as to read as follows:— The city
6 of Boston may from time to time, by ordinance, fix the fees
7 for all licenses and permits granted under the authority of
8 statutes where the entire proceeds of the fee form part of the
9 income of the city, except marriage licenses, licenses granted
10 under chapter four hundred and ninety-four of the acts of
11 nineteen hundred and eight, as amended, licenses issued under
12 chapter one hundred and thirty-eight of the General Laws,
13 licenses issued under section fifty-nine of chapter one hundred
14 and forty of the General Laws, and common victualler licenses
15 issued under section two of chapter one hundred and forty,
16 and licenses issued under section seventy of said chapter one
17 hundred and forty, and may likewise fix the charges to be
18 paid for any services rendered or work performed by the
19 city or any department thereof, for any person or class of

20 persons unless such service is rendered or work performed as
21 part of the general services furnished for the benefit of the
22 citizens of the city as a whole. Any such ordinance may set
23 a maximum fee or charge, or a minimum fee or charge, or
24 both, and may empower an administrative board or officer
25 to fix the fee or charge conformably with the limit or limits
26 set.

1 SECTION 2. Section 4 of chapter 222 of the acts of 1949 is
2 hereby amended by adding at the end of the second sentence,
3 after the word "act," the following words:— provided, how-
4 ever, that the license fee to be charged for the licenses issued
5 under section two of chapter one hundred and forty of the
6 General Laws for the first calendar year subsequent to the
7 year of passage of this amendment shall not be greater than
8 the maximum amount of fee set forth in said section two, —
9 so as to read as follows:— Chapter five hundred and seventy-
10 one of the acts of nineteen hundred and ten, and chapter two
11 hundred and ninety-seven of the acts of nineteen hundred
12 and thirty-one, as amended, are hereby repealed. The fee or
13 charge being collected immediately prior to the passage of this
14 act for any license, permit, service or work subject to this act
15 shall be the fee or charge for such license, permit, service or
16 work until action is taken under this act; provided, however,
17 that the license fee to be charged [for the licenses issued under
18 section two of chapter one hundred and forty of the General
19 Laws for the first calendar year subsequent to the year of
20 passage of this amendment shall not be greater than the
21 maximum amount of fee set forth in said section two.