

By Mr. Dwinell of Millbury, petition of Richard J. Dwinell (by vote of the town) relative to betterment assessments for sewerage facilities in the town of Millbury. Local Affairs.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Seventy-Eight.

AN ACT RELATIVE TO BETTERMENT ASSESSMENTS FOR SEWERAGE FACILITIES IN THE TOWN OF MILLBURY.

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. Chapter 307 of the acts of 1973 is hereby amended
2 by striking out section 2 and inserting in place thereof the following
3 section: —

4 *Section 2.* Whenever a building or structure is accessible either
5 directly or indirectly, to the town sewer system, or any connection
6 already made, or whenever the use of a sewer previously connected
7 is subsequently changed as hereinafter provided, a permanent
8 sewer privilege fee shall be assessed. Such fee shall be that which is
9 in effect at the time the sewer construction is completed; or, in case
10 of a change in use of a sewer previously connected, then the fee in
11 effect at the time an application for a building permit is filed; or if
12 no such permit is required then at the time an occupancy permit is
13 issued, or, if none, then at the time the new use begins.

1 SECTION 2. Said chapter 307 is hereby further amended by
2 striking out section 3 and inserting in place thereof the following
3 section: —

4 *Section 3.* The permanent sewer privilege fee shall be at the rate
5 of nine hundred dollars per unit. For the purpose of this act, the
6 number of units to be assessed on each building or structure shall
7 be as follows: —

8 A. *Residential use.*
9 1. Each single family building accessible directly to the town
10 sewer system shall be assessed as one unit.

11 2. Each dwelling unit in a multiple family dwelling, accessible to
12 the town sewer system directly or indirectly, shall be assessed one
13 full unit and one-half unit for each additional unit in the dwelling.
14 For the purpose of this section, multiple family dwellings shall be
15 deemed to include, but not to be limited to, more than single family
16 buildings, apartment houses, complexes, town houses, con-
17 dominiums, or otherwise.

18 3. In the case of approved subdivisions, when branch or
19 secondary mains are installed and paid for by developers, or by
20 persons other than the town of Millbury each single family
21 dwelling accessible to the town sewer system shall be assessed one-
22 half unit for a period of five years from the date of the original
23 subdivision plan approval by the planning board. Paragraph one
24 shall apply to all assessments made after the original five-year
25 period.

26 B. *Other uses.*

27 1. For uses other than residential, there shall be an assessment
28 of a minimum of one unit, and an additional unit for every ten
29 thousand square feet of floor space, or major portion thereof,
30 exceeding an initial ten thousand square feet, up to a total of fifty
31 thousand square feet of floor space; and an additional unit for
32 every twenty-five thousand square feet of floor space, or major
33 portion thereof exceeding the initial fifty thousand square feet.

34 2. In the case of approved commercial or industrial sub-
35 divisions, when branch or secondary mains are installed and paid
36 for by developers or by persons other than the town of Millbury the
37 charges assessed shall be one-half of the charges described in
38 paragraph one for a period of five years from the date of the
39 original subdivision plan approval. Paragraph 1 shall apply to all
40 made after the original five-year period.

1 SECTION 3. Section 5 of said chapter 307 is hereby amended
2 by striking out the second sentence and inserting in place thereof
3 the following sentence: — Such assessment shall be made by filing
4 with the board of assessors of the town a certificate, designating the
5 way on which the premises lies, and giving the name or names of
6 the owners of the estate for which such assessment has been made
7 and the amount of the assessment to be paid by such owner or
8 owners.