

TOWN OF HOPKINTON  
GENERAL BYLAW

Chapter 135

LICENSES AND PERMITS

Article I  
Denial for Nonpayment of Taxes

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**[HISTORY: Adopted by the Town Meeting of the Town of Hopkinton as indicated in article histories. Amendments noted where applicable.]**

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ARTICLE I  
Denial for Nonpayment of Taxes  
[Adopted 6-11-1990 ATM. Art. 16]

~ 135-1. Statutory authority. [Amended 5-3-1994 ATM, Art. 68]

The town accepts the provisions of MGL c. 40, § 57, which authorizes the town to adopt a bylaw which would enable it to deny applications for or to revoke or suspend any local licenses or permit of any person, corporation or business enterprise which has neglected to pay any local taxes or other municipal charges, and further, enable the town to deny any applications, licenses or permits to any person or persons, corporation or business enterprise, which applies upon a parcel or parcels of land of which there are outstanding taxes, betterments or special assessments for any fiscal year; and further hereby amends the Bylaws of the Town of Hopkinton by adding thereto the following article relative to the denial of applications for, or the revocation or suspension of any local licenses and permits of delinquent taxpayers pursuant to the above section. Such article shall provide as follows.

~ 135-2. Furnishing of list. [Amended 5-3-1994 ATM, Art. 68]

The Town 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 six-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.

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**~ 135-3. Denial, revocation or suspension of license or permit.**

- A. 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 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 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.
- B. The Collector shall have the right to intervene in any hearing conducted with respect to such license denial, revocation or suspension of said license or permit to any party.
- C. 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 for any appeal from such license denial, revocation or suspension.
- D. Any license or permit denied, suspended or revoked under this chapter shall not be reissued 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.

**~135-4. Payment agreement.**

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.<sup>1</sup>

**~135-5. Nonapplicability.**

This chapter shall not apply to the following licenses and permits:

- A. Open burning (MGL c. 48, § 13).
- B. Bicycle permits (MGL c. 85, §11A).
- C. Sale of articles for charitable purposes (MGL c. 101, § 33).
- D. Children work permits (MGL c. 149, § 69).

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- E. Clubs, associations dispensing food or beverage licenses (MGL c. 140, § 21E).
- F. Dog licenses (MGL c. 140, § 137).
- G. Fishing, hunting, trapping licenses (MGL c. 131, § 12).
- H. Marriage licenses (MGL c. 207, § 28).
- I. Theatrical events, public exhibition permits (MGL c. 140, § 181).

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<sup>1</sup> Editor's Note: Original Section (d), which immediately followed this section and dealt with the waiver of license denial by the Board of Selectmen, was deleted 5-3-1994 ATM, Art. 68.

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