

HOUSE No. 3752

The Commonwealth of Massachusetts

PRESENTED BY:

Angelo J. Puppolo, Jr.

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to outstanding fines, fees, penalties, or costs related to the use of fireworks or pyrotechnics in the city of Springfield.

PETITION OF:

| NAME: | DISTRICT/ADDRESS: | DATE ADDED: |
|-------------------------------|---------------------|------------------|
| <i>Angelo J. Puppolo, Jr.</i> | <i>12th Hampden</i> | <i>4/15/2021</i> |

HOUSE No. 3752

By Mr. Puppolo of Springfield, a petition (accompanied by bill, House, No. 3752) of Angelo J. Puppolo, Jr. (with the approval of the mayor and city council) relative to outstanding fines, fees, penalties, or costs related to the use of fireworks or pyrotechnics in the city of Springfield. Municipalities and Regional Government. [Local Approval Received.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Second General Court
(2021-2022)**

An Act relative to outstanding fines, fees, penalties, or costs related to the use of fireworks or pyrotechnics in the city of Springfield.

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. Notwithstanding any general or special law to the contrary, in the city of
2 Springfield if an outstanding fine, fee, penalty or cost related to or assessed as a result of the
3 violation of any ordinance of the City of Springfield relative to the use or possession of fireworks
4 or pyrotechnics, collectively referred to hereafter as "outstanding fireworks related collections
5 owed", remains paid for fourteen (14) days after a demand therefor made more than 1 day after
6 the outstanding fireworks related collections owed becomes due and payable, and if the tax
7 collector of the city of Springfield elects to utilize the services of a deputy collector, then the
8 deputy collector or the tax collector, as the case may be, shall send a notice of warrant to person
9 owing the outstanding fireworks related collection in order to collect the delinquency. In the
10 event that the delinquency is not paid within thirty (30) days to the notice of warrant, then a
11 service warrant shall be made. If the delinquency remains unpaid after the service of warrant

12 then the deputy collector may, at the discretion of the tax collector, return the uncollected
13 warrants of those delinquencies to the tax collector. The tax collector or a designee, as the case
14 may be, may at any time transmit, but at least on an annual basis, to the police commissioner of
15 the police department of the city of Springfield, in a form approved by the police commissioner,
16 notice of the nonpayment, specifying the name and address of the person to whom the
17 delinquency is assessed, the amount due and all interest thereon and costs relative thereto and
18 identifying information as to any motor vehicle(s) or, trailer(s) owned in the name of the person
19 owing the outstanding fireworks related collection assessed and remaining delinquent, which was
20 used in the course of the underlying Ordinance violation resulting in the fine, fee, penalty or cost
21 at issue; provided, however, that no notice shall be transmitted to the police commissioner under
22 this section at a time when there is a pending appeal of an underlying outstanding fireworks or
23 pyrotechnics fine, fee, penalty or cost as the case may be.

24 Upon receipt of the notice of non-payment, the Springfield police department, or its
25 designee, may remove said motor vehicle(s) or trailer(s) in the name of the of the person so
26 assessed that is parked or standing in a public way within the city of Springfield to, and store in,
27 a convenient place in the city until all charges lawfully imposed for the removal and storage have
28 been paid and due notice has been received that either the delinquency provided in the warrants
29 has been paid or security for the payment thereof has been deposited. Notice shall be made to the
30 registered owner of the vehicle at the time of the service of warrant. Vehicles shall be eligible for
31 impoundment twenty-two (22) days after the notice.

32 Under section 8 of chapter 135 of the General Laws, if the motor vehicle or trailer
33 remains unclaimed in the possession of the police department of the city of Springfield, or its
34 designee, for 1 month and the owner thereof or the owner's place of abode or business is

35 unknown, or if the owner and the owner's place of abode or business are known and the owner,
36 after receipt by registered mail of a written notice from the department or member to take
37 possession of the property, refuses or fails to take possession for a period of 10 days following
38 the receipt, the police department or its designee may sell the same, by public auction or any
39 other licensed auction service, including sale over the internet, with notice of the time and place
40 of sale and a description of the property to be sold, first being given by publishing the same once
41 in each of three (3) successive weeks in a newspaper published in the city of Springfield.

42 SECTION 2. This act shall take effect upon its passage.