

HOUSE No. 4467

Substituted, on motion of Mr. Walsh of Peabody, for a bill with the same title (House No. 3984).
March 7, 2024.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Third General Court
(2023-2024)**

An Act in the town of Hanson local licenses and permits; denial, revocation or suspension for failure to comply with conditions of approval.

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. The inspector of buildings or building commissioner, as defined in section 3
2 of chapter 143 of the General Laws, of the town of Hanson, or their designee, the planning board
3 of the town of Hanson, or the zoning board of the town of Hanson, each hereinafter the licensing
4 authority, may deny, revoke or suspend any license or permit, including renewals and transfers,
5 of any applicant for any license or permit, hereinafter an applicant, or any licensee or permit
6 holder, who has been determined by any public official or body entitled to set or enforce orders
7 of conditions for properties located within the town, hereinafter the conditioning authority, to
8 have not completed or complied with conditions of approvals for any other projects licensed or
9 permitted by the town. The licensing authority shall provide written notice to the applicant or
10 licensee or permit holder, within 14 days of the decision to deny, revoke or suspend, and shall
11 grant the applicant or licensee or permit holder a hearing, to be held not earlier than 14 days after
12 said notice.

13 SECTION 2. Any findings made by the licensing authority with respect to such license or
14 permit denial, revocation or suspension under this act shall be made only for the purpose of such
15 proceeding and shall not be relevant to or introduced in any other proceeding at law, except for
16 any appeal from such denial, revocation or suspension. Any license or permit denied, suspended
17 or revoked under this act shall not be reissued or renewed until the licensing authority receives a
18 certificate issued by the conditioning authority that the applicant or licensee or permit holder
19 complied with such conditions as of the date of issuance of said certificate.

20 SECTION 3. Any applicant or licensee or permit holder may enter into an agreement for
21 a limitation to a license or permit, which may include a bond, escrow or other source of
22 guarantee, thereby allowing the licensing authority to issue a certificate indicating said
23 limitations to the license or permit, and the validity of said license or permit shall be conditioned
24 upon the satisfactory compliance with said agreement. Failure to comply with said agreement
25 shall be grounds for the suspension or revocation of said license or permit; provided, however,
26 that the applicant or licensee or permit holder be given notice and a hearing as required pursuant
27 to this act.

28 SECTION 4. The board of selectmen may waive such denial, suspension or revocation if
29 it finds there is no direct or indirect business interest by the property owner, its officers or
30 stockholders, if any, or members of their immediate family, as defined in section 1 of chapter
31 268A of the General Laws, in the business or activity conducted in or on said property that is the
32 subject of the license or permit.

33 SECTION 5. This act shall not apply to the following licenses and permits: (i) open
34 burning pursuant to section 13 of chapter 48 of the General Laws; (ii) bicycle permits pursuant to

35 section 11B of chapter 85 of the General Laws; (iii) sales of articles for charitable purposes
36 pursuant to section 33 of chapter 101 of the General Laws; (iv) children work permits pursuant to
37 section 69 of chapter 149 of the General Laws; (v) clubs, associations dispensing food or
38 beverage licenses pursuant to section 21E of chapter 140 of the General Laws; (vi) dog licenses
39 pursuant to section 137 of said chapter 140 of the General Laws; (vii) fishing, hunting and
40 trapping licenses pursuant to section 12 of chapter 131 of the General Laws; (viii) marriage
41 licenses pursuant to section 28 of chapter 207 of the General Laws; or (ix) theatrical events and
42 public exhibition permits pursuant to section 181 of said chapter 140 of the General Laws.