



## The Commonwealth of Massachusetts

# AN ACT

### INCREASING THE MAXIMUM AMOUNT OF FINES WHICH MAY BE IMPOSED FOR VIOLATIONS OF ORDINANCES IN THE CITY OF SOMERVILLE

WHEREAS, Chapter 401 of the Acts of 1977 inserted section 21D of chapter 40 of the General Laws to establish noncriminal disposition of ordinance, by-law, rule, or regulation violations with fines not to exceed \$200, later amended by chapter 609 of the Acts of 1987 to raise the maximum fines allowed by section 21D to \$300; and

WHEREAS, That the maximum allowable fine imposed by the City of Somerville for the noncriminal disposition of ordinance violations has remained \$300 for more than thirty years, without adjustment for inflation, has disincentivized chronic violators of the City's ordinances, particularly corporations, from compliance and instead has emboldened scofflaws to view the low fines as the cost of doing business; and

WHEREAS, The City of Somerville must possess and exercise the police powers necessary to ensure effective enforcement of its ordinances to deter willful or negligent violations and to protect the health, safety, and general welfare of its residents and for the good of the public;

NOW THEREFORE,

*Be it enacted by the Senate and House of Representative in General Court assembled, and by the authority of same, as follows:*

SECTION 1. Notwithstanding any other general or special law, rule or regulation to the contrary, the maximum fine issued for each offense for non-criminal disposition of violation of an ordinance, rule or regulation pursuant to G. L. c. 40, § 21D in the City of Somerville shall not exceed \$2,000.

The maximum fine set forth in this section shall be adjusted for inflation, rounded to the nearest hundred dollars, on January 1, 2025, and on January 1 every five years thereafter based on the annual percentage change in the United States Department of Labor, Bureau of Labor Statistics, Consumer Price Index for All Urban Consumers (CPI-U) for the Boston-Cambridge-Newton, Mass.-N.H. Core Based Statistical Area, all items, or its successor index.

SECTION 2. The provisions of this act are severable and if any provision, or portion thereof, should be held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect the remaining provisions, which remain in full force and effect.

SECTION 3. This act shall take effect upon its passage.

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IMPOSED FOR VIOLATIONS OF ORDINANCES IN THE CITY OF SOMERVILLE.

PETITION \_\_\_\_\_

<p><b><u>CHIEF SPONSOR:</u></b></p>
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*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 passage of  
the accompanying bill or resolve.

PETITIONERS: LEGISLATOR/CITIZEN	DISTRICT/FULL MAILING ADDRESS

Use "TABLE > INSERT > ROWS BELOW" to add more lines for petitioners'  
signatures.