

CITY OF NEWTON

IN BOARD OF ALDERMEN

LAND USE COMMITTEE REPORT

WEDNESDAY, SEPTEMBER 30, 2013

Present: Ald. Hess-Mahan (Chairman), Ald. Crossley, Albright, Fischman, Schwartz, Laredo; 1
absent: Ald. Harney; 1 vacancy

REFERRED TO LAND USE & FINANCE COMMITTEES

#193-13 ALD. HESS-MAHAN proposed that the annual fee for an auto dealer license be increased from \$100 to \$200 per G.L. chapter 140 sec. 59.

ACTION: FINANCE APPROVED 6-0-1 (Fuller abstaining; Ciccone recused) on 9/9/13
APPROVED 4-0 (Aldermen Laredo and Schwartz not voting)

NOTE: Most fees and fines collected by municipalities are set and capped by the state to prevent cities and towns from using fees as a revenue source instead of a processing cost. The state tends to be conservative in setting fees. Several years ago the legislature amended chapter 140 to allow municipalities to increase the annual fee for Class 1, 2, and 3 automobile dealer licenses from \$100 to \$200. Auto dealer licenses are renewed each January 1. Applications are sent in October to the approximately 30 dealers in Newton. Concurrently, memos and lists of the dealers are sent to the Police, Inspectional Services, and Treasury Departments enquiring whether there are any outstanding parking/traffic issues, zoning complaints, or property, personal property, or excise taxes due. If there is a problem it is usually with taxes, oftentimes it's a small overdue excise tax, but occasionally it may be overdue property tax, which requires staff to resolve with the applicant prior to the Committee taking up the license. Upon approval each dealer receives a license, which the state requires on a special form to be posted on the premises. This past year, there was an issue with one particular dealer and a question arose as to whether the city should be doing CORI checks on all the dealers; however, after a meeting with the Law Department it was decided that a CORI check would not necessarily indicate whether or not a person was suitable to sell cars. The Law Department suggested that the Clerk's office may want to develop other criteria such as letters of reference for all new applicants. The Committee felt that the proposed increase is a modest amount, and voted 4-0, with Aldermen Laredo and Schwartz not voting, to approve it.

N. B. The reports docket has an incorrect vote of 6-0.

Respectfully submitted,

Ted Hess-Mahan, Chairman