



William F. Martin
Mayor

City known as the Town of
GREENFIELD, MASSACHUSETTS

**DEPARTMENT OF INSPECTIONS
AND ENFORCEMENT**

MARK A. SNOW
Inspector of Buildings

Town Hall • 14 Court Square • Greenfield, MA 01301
Phone 413-772-1404 • Fax 413-772-1566
MarkSI@greenfield-ma.gov • www.greenfield-ma.gov

VACANT AND FORECLOSING PROPERTY REGISTRATION

On December 14, 2014 the Town of Greenfield adopted an ordinance requiring the registration of vacant and foreclosing residential or commercial/business buildings to protect the health, safety and welfare of the citizens of Greenfield. This ordinance will help secure the welfare of the Town's residents & neighborhoods by requiring all property owners, including lenders, trustees and service companies and the like, to register and properly maintain their respective properties.

If you are the owner of a vacant property or are the institution foreclosing on a property in the Town Of Greenfield, you must:

1. Fill out the attached **registration form** and return to the Building Department, 14 Court Square, Greenfield, MA 01301 accompanied by a **one-time** registration fee in the amount of \$25.00. Incomplete forms will not be accepted. Property registrations are valid for one (1) calendar year. Subsequent annual registrations are due within thirty (30) days from the previous registration.
2. Identify a **local Property Management Company or individual** if property is vacant, and post name and 24- hour contact telephone number, on the front door of the property.
3. Maintain the property in accordance with all applicable codes, inspect monthly for the duration of the vacancy, board and secure the property.

If the property is in the process of foreclosure, then the registration must be received within seven (7) days of the initiation of the foreclosure process. If the Building Inspector determines that the property is vacant and that foreclosure proceedings have not been initiated, the registration must be received within fourteen (14) days of the Building Inspector's first citation for improper maintenance. Failure to initially register with the Inspector of Buildings is punishable by a fine of \$300. Failure to properly identify the name of the local individual or local Property Management Company is punishable by a fine of \$300. Failure to maintain the property is punishable by a fine of \$300 for each week the property is not maintained.

Attached to this notice is the text of the Vacant and Foreclosing Property Ordinance and the registration form.

If you have any questions or need assistance in completing a registration, please call 413-772-1404. Thank you for your assistance.



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Official Use Only			
Parcel # _____	<input type="checkbox"/> Payment Rec'd	Payment Date _____	Payment Method _____
<input type="checkbox"/> Inspected	Inspection Date _____	Inspector _____	

VACANT AND FORECLOSING PROPERTY REGISTRATION

- NEW UPDATE RENEWAL
 Vacant Foreclosing/Foreclosed (Occupied) Foreclosing/Foreclosed (Vacant)
 Residential Commercial Industrial

1. Property Information

Property Address: _____ No. of Units _____

Description of Property: _____

Existing Utilities: On Off Red Tagged Winterized (if vacant) Other

Date in which property became vacant (if applicable): _____

2. Local Property Management Information

Local individual or Local Property Mgmt. Co: _____

Contact Name: _____ Phone No.: _____

Address (NO PO BOX) _____

City: _____ State: _____ Zip: _____

24 Hour Contact Telephone, Cellular Phone, or Pager No.: _____

Use above contact for registration inspection? Yes No (If no, provide name & Phone no.) Name _____ Phone No. _____

*The Town of Greenfield is an Affirmative Action/Equal Opportunity Employer,
a designated Green Community and a recipient of the "Leading by Example" Award*

3. Owner/Agent Information

Property Owner or Foreclosing Institution _____

Contact Name _____ Phone No: _____

Address(NO PO BOX): _____

City: _____ State: _____ Zip: _____

**OWNER/LENDER/LIEN HOLDER RESPONSIBILITY & CERTIFICATION
(Registration applicants shall read and initial)**

In accordance with the Town of Greenfield's "Vacant and Foreclosing Property Ordinance by signing below you:

- Certify that the information provided is accurate and Agree to notify the Building Inspector of any updates. Initial _____
- Agree to pay the one-time fee of \$25 at time of registration. Agree that this Property Registration is valid for one year from the date of initial registration, and Agree to renew this Property Registration within 30 days of expiration. Once the property is no longer vacant or sold, you Agree to provide proof of sale or written notice and proof of occupancy to the Building Inspector. Initial _____
- If the property is vacant, Agree to maintain a local individual or property management company to secure and maintain the property. Initial _____
- Agree to post and maintain updated name and 24-hour contact telephone number of local individual or property management company on the front door of property. Initial _____
- Agree that the owner, local individual or local property management company will inspect and maintain the property on a monthly basis for the duration of the vacancy, in accordance with the relevant Town Of Greenfield codes. Initial _____
- Agree that the compliance with this ordinance shall not relieve the owner of any applicable obligations set forth in any other codes, regulations, covenant conditions or restrictions, and /or homeowner or condominium association rules and regulations. Initial _____

Applicant Signature

Printed Applicant Name

Date

**Please keep the following
Town Ordinance for your records**



City known as the Town of
GREENFIELD, MASSACHUSETTS

OFFICE of the TOWN CLERK/TOWN COUNCIL

William F. Martin
Mayor

DEBORAH TUTTLE, CMC

Town Clerk

Town Hall • 14 Court Square • Greenfield, MA 01301

Phone 413-772-1555 • Fax 413-772-1542

DeborahT@greenfield-ma.gov • www.greenfield-ma.gov

Order no. FY 15-075

Town of GREENFIELD

MASSACHUSETTS

On December 17, 2014, the Greenfield Town Council, on a motion by Councilor Devlin, second by Councilor Maloni, it was by majority, 6 yes and 4 no,

VOTED: THAT IT BE ORDERED, THAT THE GREENFIELD TOWN COUNCIL AMENDS THE CODE OF THE TOWN OF GREENFIELD BY ADDING CHAPTER 178 VACANT AND FORECLOSING PROPERTY ORDINANCE AS ATTACHED HERETO AND FURTHER AMENDS THE TABLE OF CONTENTS AND INDEX OF THE CODE AND FURTHER THAT NONSUBSTANTIVE CHANGES TO THE NUMBERING OF THE ORDINANCE BE PERMITTED IN ORDER THAT IT BE IN COMPLIANCE WITH THE NUMBERING FORMAT OF THE CODE OF THE TOWN OF GREENFIELD, AS AMENDED.

Town Council adopted December 17, 2014

Chapter 178

AN ORDINANCE RELATIVE TO VACANT AND FORECLOSING PROPERTIES

§ 178-1. Authority and Purpose

§ 178-2. Definitions

§ 178-3. Registration of Vacant and Foreclosing Properties

§178-4. Maintenance Requirements

§ 178-5. Administration

§ 178-1. Authority and Purpose.

Pursuant to the general powers granted to cities and towns by Article 89 of the Amendments to the Massachusetts Constitution, and the specific powers granted by M.G.L., Ch. 139, § 1-3A, this ordinance is adopted to help protect the health, safety, and welfare of the citizens of Greenfield by preventing blight, protecting property values and neighborhood integrity, protecting the Town's resources, avoiding the creation and maintenance of nuisances and ensuring the safety and sanitary maintenance of all buildings and structures. Inadequately maintained residential or commercial/business buildings are at an increased risk for fire, unlawful entry, or other public health and safety hazards. This ordinance will help secure the welfare of the Town's residents and neighborhoods by requiring all property owners, including lenders, trustees and service companies and the like, to register and properly maintain their respective properties.

§ 178-2. Definitions.

BUILDING - An enclosed structure, either a principal building or shed, garage, stable, greenhouse, or other accessory building.

DILAPIDATED - A condition of decay or partial ruin by reason of neglect, misuse, or deterioration. The term includes, but is not limited to:

- (a) Property having deteriorated or ineffective waterproofing of exterior walls, roofs, foundations or floors, including broken or inadequately secured windows or doors;
- (b) Personal property that is broken, rusted, worn, partially or wholly dismantled or otherwise due to deterioration is unsuitable for the purpose for which designed.

FORECLOSING -The process by which a property, placed as security for a real estate loan, is prepared for sale to satisfy the debt if the borrower defaults.

HAZARD – A condition likely to expose persons to injury or negative health impacts, or property to damage, loss or destruction, including but not limited to burned structures not otherwise lawfully habitable or usable, dilapidated real or personal property, and/or dangerous or unsafe structures or personal property.

INITIATION OF THE FORCECLOSURE PROCESS - Means taking any of the following actions: (i) taking possession of a property pursuant to M.G.L. Ch. 244, § 1; (ii) delivering the Mortgagee's notice of intention to foreclose to the borrower pursuant to M.G.L. Ch. 244, § 17B; or (iii) commencing a foreclosure action on a property in either the Land Court or Superior Court.

MORTGAGEE - The creditor, including but not limited to, service companies, lenders in a mortgage agreement and any agent, servant, or employee of the mortgagee, or any successor in interest and/or assignee of the mortgagee's rights, interests or obligations under the mortgage agreement.

OWNER - Every person who alone or jointly or severally with others

- (a) has legal title to any building, structure or property to this Ordinance; or
- (b) has care, charge, or control of any such building structure or property in any capacity including but not limited to agent, executor, executrix, administrator, administratrix, trustee, guardian or conservator of the estate of the holder of legal title; or as life tenant; or
- (c) is a lessee under a written lease agreement; or
- (d) has a mortgage in possession; or
- (e) is an agent, trustee or other person appointed by the courts.

VACANT PROPERTY - Any property not currently legally occupied and not properly maintained or secured.

§ 178-3. Registration of Vacant and/or Foreclosing Properties.

A. All Owners must register vacant and/or foreclosing properties with the Inspector of Buildings on forms provided by the Building Inspector. All registrations must state the individual owner's or agent's telephone number and mailing address located within the Commonwealth as required by M.G.L. Ch. 59, § 57D, M.G.L. Ch. 156D, § 5.02, and 950 CMR 113.20. The mailing address shall not be a P.O. Box. This registration must also certify that the property was inspected and identify whether the property is vacant at the time of filing. If the property is vacant, the owner and/or registrant must designate and retain a local individual or local property management company responsible for the security and maintenance of the property. This designation must state the individual or company's name, telephone number, and local mailing address. The mailing address shall not be a P.O. Box. If the property is in the process of foreclosure, then the registration must be received within seven (7) days of the initiation of the foreclosure process. If the Building Inspector determines that the property is vacant and that

foreclosure proceedings have not been initiated, the registration must be received within fourteen (14) days of the Building Inspector's first citation for improper maintenance.

B. All property registrations are valid for one (1) calendar year. A one-time registration fee of twenty-five dollars (\$25.00) must accompany the registration form. Subsequent annual registrations are due within thirty (30) days of the expiration of the previous registration and must certify whether the foreclosing and/or foreclosed property remains vacant or not.

C. Once the property is no longer vacant or is sold, the owner must provide proof of sale or written notice and proof of occupancy to the Building Inspector.

§ 178-4. Maintenance Requirements.

Owners of vacant and foreclosing properties must fulfill the following minimum adequate maintenance requirements for any such property they own:

A. Properties subject to this section must be maintained in accordance with the relevant Sanitary Codes, Building Codes, and local regulations concerning external and/or visible maintenance. The owner, local individual or local property management company must inspect and maintain the property on a monthly basis for the duration of the vacancy;

B. The property must contain a posting with the name and 24-hour contact telephone number of the local individual or property Management Company responsible for the maintenance. This sign must be posted on the front door of the property.

C. Secure vacant and foreclosing properties subject to this ordinance to prevent unauthorized entry and exposure to the elements;

D. Maintain vacant and foreclosing properties subject to this ordinance in a manner that ensures their external/visible maintenance, including but not limited to, the maintenance of major systems, the removal of trash and debris, and the upkeep of lawns, shrubbery, and other landscape features;

E. Repair or replace broken windows or doors within thirty (30) days.

F. Compliance with this section shall not relieve the owner of any applicable obligations set forth in any other codes, regulations, covenant conditions or restrictions, and/or homeowner or condominium association rules and regulations.

§ 178-5. Administration

A. Enforcement - This Ordinance shall be enforced by the Building Inspector. The Building Inspector shall have the authority and the duty to inspect properties subject to this section for compliance and to issue citations for any violations.

B. Penalties

(1) Failure to initially register with the Inspector of Buildings is punishable by a fine of three-hundred dollars (\$300.00).

(2) If applicable, failure to properly identify the name of the local individual or local property management company is punishable by a fine of three-hundred dollars (\$300.00).

(3) Failure to maintain the property is punishable by a fine of three-hundred dollars (\$300.00) for each week the property is not maintained.

C. Appeal - Any person aggrieved by the requirements of this section may seek an administrative appeal to the Building Inspector. Any person aggrieved by a final decision issued under this section by the Building Inspector, may seek relief in any court of competent jurisdiction as provided by the laws of the Commonwealth of Massachusetts.

D. Applicability- If any provision of this section imposes greater restrictions or obligations than those imposed by any other general law, special law, regulation, rule, ordinance, by-law, order, or policy then the provisions of this section shall control.

E. Regulatory Authority - The Building Inspector has the authority necessary to implement and enforce this section.

F. Severability - If any provision of this section is held to be invalid by a court of competent jurisdiction then such provision shall be considered separately and apart from the remaining provisions, which shall remain in full force and effect.

The motion was passed and so declared by the Town Council President.

A true copy,

ATTEST: _____

Deborah J. Tuttle,
Town Clerk

Xc Mayors Office
 Assessors Office
 Town Accountant
 Treasurer/ Collector
 Building Inspector

File, T. 2015, True Copy 075 Vacant-Fordos Ordloc



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