

Offered by Councilor Michael F. Flaherty and Councilor Andrea J. Campbell

**CITY OF BOSTON**



IN THE YEAR TWO THOUSAND SIXTEEN

**ORDER ACCEPTING THE PROVISIONS OF THE  
MASSACHUSETTS COMMUNITY PRESERVATION ACT**

*WHEREAS*, The Community Preservation Act (CPA) was signed into law by Governor Paul Cellucci on September 14, 2000. Since then, 160 towns and cities across the Commonwealth of Massachusetts have adopted the CPA; and,

*WHEREAS*, The CPA combines advocacy efforts to provide funding for a variety of initiatives that help to maintain a municipality's character, history and livability through a local Community Preservation Committee; and,

*WHEREAS*, Municipalities that adopt the CPA levy a small property tax surcharge and become eligible for a state match based on the revenue collected and other funds committed by the City of Boston for community preservation purposes; and,

*WHEREAS*, Boston is in an era of development and innovation; and adoption of the CPA would enhance the city's funding for affordable housing, historic preservation, open space and recreation; and,

*WHEREAS*, One method to adopt the CPA is by legislative action of the Boston City Council accepting the provisions of the CPA, M.G.L. Chapter 44B, Sections 3 through 7, inclusive, along with a surcharge amount and optional exemptions by a simple majority. The actions of the Boston City Council are then referred for voter approval at the next regularly scheduled municipal election or general state election, whichever comes first. *NOW*,

*THEREFORE BE IT ORDERED:*

Section 1.

That the City of Boston hereby accepts Sections 3 to 7, inclusive, of Chapter 44B of the General Laws, otherwise known as the Massachusetts Community Preservation Act, by approving a surcharge on real property for the purposes permitted by said Act, including the acquisition, creation and preservation of open space, the acquisition, preservation, rehabilitation and restoration of historic resources, the acquisition, creation, preservation, rehabilitation and restoration of land for recreational use, the acquisition, creation, preservation and support of community housing, and the rehabilitation and restoration of such open space and community

housing that is acquired or created as provided under said Act; that the amount of such surcharge on real property shall be 1% of the annual real estate tax levy against real property commencing in fiscal year 2018; that acceptance of said Act shall be pursuant to Section 3 (b) ½ of Chapter 44B; and that the City hereby accepts the following exemptions from such surcharge permitted under Section 3(e) of said Act: property owned and occupied as a domicile by any person who qualifies for low income housing or low or moderate income senior housing in the City, as defined in Section 2 of said Act; \$100,000 of the value of each taxable parcel of residential real property; and \$100,000 of the value of each taxable parcel of class three, commercial property, and class four, industrial property as defined in section 2A of Chapter 59.

Filed in Council: February 10, 2016