



CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139

• (617) 876-6800

LAW DEPARTMENT

RUSSELL B. HIGLEY
CITY SOLICITOR

RUSSELL B. HIGLEY

EDWARD A. CUNNINGHAM
ANDREW T. TRODDEN
LEGAL COUNSEL

CHARLES A. WATSON
LEGISLATIVE AGENT

June 9, 1978

Mr. James Leo Sullivan
City Manager
City Hall
Cambridge, Massachusetts

Dear Mr. Sullivan:

I am in receipt of a request for an opinion submitted by Councillor Crane, concerning whether or not the City could legally add sewer charges to the water bills of the universities located in the City of Cambridge under the provisions of Chapter 586 of the Acts of 1977.

Examination of Section 16 C of Chapter 586 clearly indicates that sewer usage may be charged against the property of a tax exempt organization. Section 16 C appears as follows:

If a rate or charge for which a lien is in effect under section sixteen B has not been added to or committed as a tax and remains unpaid when the assessors are preparing a real estate tax list and warrant to be committed by them under section fifty-three of chapter fifty-nine, the board or officer in charge of the sewer department, or the town collector of taxes, if applicable under section thirty-eight A of chapter forty-one, shall certify such rate or charge to the assessors, who shall forthwith add such rate or charge to the tax on the property to which it relates and commit it with their warrant to the collector of taxes as a part of such tax. If the property to which such rate or charge relates is tax exempt, such rate or charge shall be committed as the tax.

Mr. James L. Sullivan

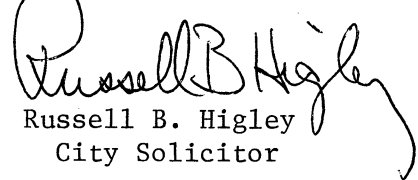
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June 9, 1978

It is my opinion, therefore, that sewer charges must be added to the water bills of the universities located within the City of Cambridge, if Chapter 586 were to be accepted by the City of Cambridge.

If you have further questions in this matter, please let me know.

Very truly yours,


Russell B. Higley
City Solicitor

RBH:cag



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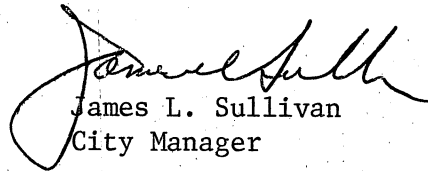
EXECUTIVE DEPARTMENT
JAMES L. SULLIVAN
City Manager

June 12, 1978

To the Honorable, the City Council:

Enclosed please find copy of the opinion of Russell B. Higley, City Solicitor, concerning whether or not the City can legally add sewer charges to the water bills of the Universities located in the City of Cambridge under the provisions of Chapter 586 of the Acts of 1977.

Very truly yours,


James L. Sullivan
City Manager

JLS/mbf
Enc.

S-278

Opinion of the City Solicitor regarding the
addition of sewer charges to the water bills
of universities located in Cambridge.

In City Council,

June 12, 1978

4/12/78

Placed on File -