

**City of Northampton**  
**MASSACHUSETTS**

*In City Council, on March 1, 2018*

*Upon the recommendation of Mayor David J. Narkewicz*

O-18.056 AN ORDER  
TO ACCEPT M.G.L. CH. 23M ("THE PACE ACT")

***Ordered, that;***

**WHEREAS**, in September 2011, Northampton became the first community in Massachusetts to adopt a property assessed clean energy (PACE) program ordinance, which was not implemented due to the lack of a non-municipal financing mechanism, and;

**WHEREAS**, in 2016, the state legislature enacted M.G.L. c. 23M ("the PACE Act"), which established a commercial sustainable energy program known as the Massachusetts Property Assessed Clean Energy Program (PACE Massachusetts) to provide a financing mechanism to private owners of commercial and industrial properties for certain qualifying commercial energy improvements; and

**WHEREAS**, pursuant to the PACE Act, PACE Massachusetts is administered by the Massachusetts Development Finance Agency, in consultation with the Massachusetts Department of Energy Resources; and

**WHEREAS**, under PACE Massachusetts, the owner of the commercial or industrial property benefitting from the improvements is required to repay the PACE financing through the payment of a betterment assessment placed on such benefitted property by the municipality in which the benefitted property is located; and

**WHEREAS**, in order for an owner of commercial or industrial property to participate in PACE Massachusetts, Section 2 of the PACE Act requires that the municipality in which such property is located must elect to participate in PACE Massachusetts.

**NOW THEREFORE, BE IT ORDERED**, as follows:

The City of Northampton hereby accepts the provisions of M.G.L. c. 23M, § 2, and in accordance therewith hereby exercises the option to participate in the commercial sustainable energy program as a participating municipality pursuant to which the city shall assess, collect, remit and assign betterment assessments in return for commercial energy improvements for a benefitted property owner located within such municipality and for costs reasonably incurred in performing such acts.