

TOWN OF CHELMSFORD
GENERAL PROVISIONS, CHAPTER 200
BOARD OF HEALTH
ARTICLE IV

GOVERNMENT SPONSORED EMERGENCY HOUSING/SHELTER PROGRAMS
(Adopted 8/3/2015, Amended 11/2/2015, Revised 2/1/2016, 09/13/2021)

A regulation providing for the control and permitting of motels, hotels, long term/extended stay establishments and other lodging establishments in regard to Government Sponsored Emergency Housing/Shelter Programs in the Town of Chelmsford.

§ 201.13 Authority

This Regulation shall be effective on and after September 1, 2015, as to new placements and January 1, 2016, as to existing placements, and so remain in effect until terminated, modified or amended in writing by the Chelmsford Board of Health. It is enacted under authority granted by, but not limited to, Massachusetts General Laws, Chapter 111, sections 31, 31C, 122, 142A through 142 M. Board of Health regulations are an exercise of the police power under which the various levels of government hold responsibility for protection of the public health, safety and welfare. Excluding from implementation of this Regulation until July 1, 2016, children enrolled in the Chelmsford Public Schools as of September 2, 2015 and their parents or legal guardians and siblings residing in the lodging establishments with such children as of September 2, 2015.

§ 201.14 Purpose

This Regulation has been enacted by the Board of Health for the purpose of protecting the health, safety and well-being of the general public and the individuals being housed and sheltered in motels, hotels, long term/extended stay establishments and other lodging establishments within the Town of Chelmsford as part of any government sponsored housing / sheltering program.

§ 201.15 Definitions

1. **Lodging establishment**: A place where a person can rent a room(s) to stay for a short period of time: a place to sleep. Other services may be supplied. This definition includes hotels, motels, long term/extended stay establishments, bed and breakfasts, inns, resorts and the like.
2. **Hotel**: A place that has rooms in which people can stay especially when they are traveling: a place that provides food, lodging, and other services for paying guests for usually less than seven days.
3. **Motel**: A small-sized low- rise lodging establishment which provides sleeping accommodation with limited services for usually less than 7 days. They have direct access to individual rooms from the parking area.
4. **Long term/extended stay establishment**: A lodging establishment with additional amenities that people stay for a period usually longer than 7 days.
5. **Kitchenette**: Must have the following located in unit:
 - a) Refrigerator/Freezer unit (min 3 cu. Ft)
 - b) Kitchen sink of minimum size (12"x 10"x 5" min.) and adequate space to store, prepare and serve food in a sanitary manner (2'x6' countertop and 9 sq. ft. of cabinets-min.)
 - c) A permanently installed electric cooktop (2 heating elements) and microwave.
 - d) A kitchen area of a minimum of 40 square feet
 - e) Landlord to provide reasonably necessary cookware and amenities, including without exception, flatware, plates, bowls, cups, glasses and table settings.

6. Full Kitchen: Must have the following located in unit:
 - a) Refrigerator/Freezer unit-(min.9 cu. Ft.)
 - b) Kitchen sink/dishwasher combination of sufficient size (12"x 10"x 5" min.) and adequate space to store, prepare and serve food in a sanitary manner. (2'x 9'counter top and 20 sq. ft. of cabinets-min.)
 - c) Electric stove and microwave
 - d) Kitchen area- a minimum of 75 square feet
 - e) Landlord to provide reasonably necessary cookware and amenities, including without exception, flatware, plates, bowls, cups, glasses and table settings.
7. Single Room: A habitable room with 1 or 2 beds without any kitchen facility.
8. Single Room with Kitchenette: A habitable room with 1 or 2 beds and kitchenette facility
9. Single Room with Full Kitchen: A habitable room with 1 or 2 beds with full kitchen facilities.
10. Single Room with Full Kitchen and Separate Bedroom: A habitable room with one bed/bedroom and one couch/bed unit with full kitchen facilities.
11. Habitable Room-means every room or enclosed floor space used or intended to be used for living, sleeping, cooking, or eating purposes, excluding rooms containing toilets, bathtubs or showers and excluding laundries, pantries, foyers, communicating corridors, closets, and storage space.-105 CMR 410.000

§ 201.16 Requirements

1. Minimum space requirements for all Single Room setups: at least 150 square feet of floor space for the first occupant and at least 100 square feet of floor space for the second occupant, 75 square feet for the third occupant and 50 square feet for the fourth occupant. (Bathroom facilities not included in habitable space needs or in meeting kitchen needs-must be totally separate)
2. Maximum occupancy per square footage of room.
 - a) 1 PERSON - NEED - 150 Sq. Ft.
 - b) 2 PERSONS - NEED - 250 Sq. Ft.
 - c) 3 PERSONS - NEED - 325 Sq. Ft.
 - d) 4 PERSONS - NEED - 375 Sq. Ft.
3. Maximum Stay Period per Room Type/Occupant number.
 - a) SINGLE ROOM* **
 - 1 person - 35 days
 - 2 persons -28 days
 - 3 persons -21 days
 - 4 persons -14 days
 - b) SINGLE ROOM with Kitchenette* **
 - 1 person - 150 days
 - 2 persons - 120 days
 - 3 persons - 90 days
 - 4 persons - 60 days
 - c) SINGLE ROOM with Full Kitchen* **

- 1 person - 180 days
- 2 persons -150 days
- 3 persons -120 days
- 4 persons – 90 days

d) SINGLE ROOM with Full Kitchen, separate bedroom and couch bed unit* **

- 1 person - 365 days
- 2 persons - 365 days
- 3 persons - 270 days
- 4 persons - 180 days

*RESTRICTION ON STAY PERIOD-BASED ON ONE OR MORE OF THE FOLLOWING- LACK OF KITCHEN CAPACITY, STORAGE SPACE, AND PRIVACY ISSUES.

**If any room is 150 square feet or more above the minimum requirement listed above, the stay period may be extended by 25% more days.

4. All units (rooms) meeting the above requirements must have a pre-occupancy inspection by this office before any unit can be occupied. A fee will be set by the Board of Health each year to establish the fee for inspections and /or re-inspections necessary to confirm compliance with this regulation.
5. Existing permits/licenses need to be modified to allow these housing options at existing facilities (Hotels, Motels, Long term/extended stay establishments and Lodging Establishments). Fee to be established by the Board of Health.
6. As each unit (room) is vacated, the ownership of the establishment is required to submit an affidavit to the Chelmsford Board of Health confirming that the occupant(s) have left the unit before the expiration of the approved Stay Period.

§ 201.17 Enforcement and Remedies

The Board of Health may take enforcement action deemed appropriate and lawful, including but not limited to revocation of existing permits/licenses, criminal prosecution, civil action for injunctive relief or money damages, or both. The Board of Health may levy fines of not less than \$50 for the first offense. (Each day of violation shall constitute a separate offense). Any succeeding day of violation may be punished by a fine of no more than \$300 per day per offense.

§ 201.18 Severability

Each part of this Regulation shall be construed as separate to the end that if any paragraph, sentence, clause, or phrase thereof shall be held invalid for any reason, the remainder of that Regulation and all other regulations shall continue in full force.

§ 201.19 Effective Date

This regulation has been amended, voted on, and unanimously approved at a regularly scheduled Board of Health meeting on September 13, 2021, and will go into effect on September 13, 2021. The changes approved at the Board of Health’s September 13, 2021, meeting consisted of administrative re-numbering, no substantive changes to the regulation were made at this time.
