

TOWN OF CHELMSFORD

BOARD OF HEALTH

TOWN OFFICES-50 BILLERICA ROAD

**A REGULATION PROVIDING FOR THE CONTROL AND PERMITTING OF MOTELS, HOTELS, LONG TERM/EXTENDED STAY ESTABLISHMENTS AND OTHER LODGING ESTABLISHMENTS IN REGARDS TO GOVERNMENT SPONSORED EMERGENCY HOUSING/ SHELTERING PROGRAMS IN THE TOWN OF CHELMSFORD.
ADOPTED BY THE CHELMSFORD BOARD OF HEALTH ON AUGUST 3, 2015,
NOVEMBER 2, 2015**

A. 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 residing in the lodging establishments with such children as of September 2, 2015.

B. 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.

C. 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 (14"x 16"x 7" min.) and adequate space to store, prepare and serve food in a sanitary manner (2'x8' counter top and 12 sq. ft. of cabinets-min.)
 - c) A permanently installed electric cooktop (2 heating elements) and microwave.
 - d) A kitchen area of a minimum of 50 square feet
 - e) Landlord to provide reasonably necessary cookware and amenities, including without exception, flatware, plates, bowls, cups, glasses and table settings.

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.

E. 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.

G. 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.