

Board of Health Regulation

Section 9 Dwellings

Regulation # 1. The Malden Board of Health adopts by reference the State Sanitary Code, Chapter II, 105 CMR 410.000, Minimum Sanitation Standards for Human Habitation in force and effect on March 21, 2006.

Regulation # 2. All dwelling units consisting of one bedroom or more must set aside a minimum of one hundred and fifty (150) sq. ft. of contiguous open area to be used for the common social activities of the occupants. *Note : the 150 sq ft comes from the Building Code Section 3603.7.1 Floor area.*

Regulation # 3. 105 CMR 410. 910 shall be amended as follows: Failure to comply with a correction order authorized by 105 CMR 410.000 and issued by the Board of Health or it's agents within the time specified in that order shall be cause for the issuance of a citation for no less than \$50.00 nor more than \$300.00 per violation. Each day the violation is not corrected after the correction date shall constitute a separate violation and fine.

Regulation # 4. The following regulations adopted by the Board of Health are considered to be those hazardous to the public health and shall be cause for the immediate issuance of a citation with a fine of not less than \$50.00 nor more than \$300.00 per day until the violation is corrected.

- a. Conditions Deemed to Endanger or Impair Health or Safety as defined by 105 CMR 410.750 inclusive;
- b. Curtailment Prohibited – 105 CMR 410.620
- c. Minimum Square Footage – 105 CMR 410.400
- d. Board of Health Regulation, Section 9, Regulation # 3, Dwellings.

Regulation # 5. If a certification inspection for compliance with the State Sanitary Code, Chapter II, Minimum Standards for Human Habitation is required of a property owner to comply with a local, state or federal housing program, bank or other local, state, or federal department, agency or authority a certification permit fee of \$50.00 must to be paid by the property owner to the City of Malden for the initial inspection and \$10.00 for each required follow up inspection. Upon compliance a copy of the certification inspection will be issued to the property owner.

Regulation # 6. Agents and employees of the Board of Health have the authority to enforce the provisions of this Section. Violation of this Section will be enforced in the manner provided under Massachusetts General Laws Chapter 40, Section 21D.

Each provision of this Section shall be construed as separate to the end that if any part of it shall be held invalid for any reason, the remainder shall continue in full force and effect.

Effective date : June 8, 2006

PUBLIC NOTICE

Summary: The Board of Health of the City of Malden, Massachusetts in accordance with and under the authority granted by Chapter 111, Sections 31, 31A and 31B of the General Laws of the Commonwealth of Massachusetts has amended Section 9, Dwellings, Malden Board of Health Rules & Regulations to further ensure the health, safety and welfare of the citizens of Malden. The Board amended the regulation requiring a \$50.00 permit fee to be paid by the property owner when they are required to certify compliance with the State Sanitary Code, Chapter II, prior to occupancy by any federal, state or local department, agency or authority. A \$10.00 re-inspection fee is required for all follow up inspections conducted. This is a summary of the regulation. Copies of the entire regulation may be obtained at the Malden Board of Health Office, Rm. 517, Government Center, 200 Pleasant Street, Malden.