



# City of Beverly

BOARD OF HEALTH  
90 COLON STREET  
BEVERLY, MASSACHUSETTS 01915



**Public Health**  
Prevent. Promote. Protect.

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## BEVERLY BOARD OF HEALTH

### CHAPTER VI – HOUSING, SECTION 1. CHANGE OF OCCUPANCY PERMITS

Whenever a rented dwelling unit, apartment, or tenement other than a hotel, motel, or rooming house is vacated by the occupant or occupants thereof, or within ten (10) days before the expiration date of the anticipated vacancy, it must be certified by the Board of Health, or its agents, prior to being re-occupied by a new occupant as meeting the standards set forth in “The Sanitary Code, Article II, Minimum Standards of Fitness for Human Habitation” as promulgated and from time to time amended by the Department of Public Health of the Commonwealth of Massachusetts under the authority of General Laws, Chapter 111, Section 127A.

After inspection of the vacant premises by the Board of Health or its agents, all public utilities servicing said vacant premises may be ordered turned off by the Board of Health or its agents until such dwelling unit, apartment, or tenement is certified as being fit for human habitation. If within seventy-two (72) hours excluding Saturdays, Sundays and Holidays after receipt of written notification of a vacancy from the owner, managing agent, or person in possession, the Board of Health or its agents fail to make an inspection, then rented dwelling unit, apartment or tenement may be re-occupied without such certification.

If after inspection of the premises by the Board of Health or its agents, the Board of Health determines that the owner should be given time to make repairs necessary to qualify for certification and the health and safety of any occupant is not thereby endangered, the Board of Health may issue a temporary change of occupancy permit in increments of thirty (30) days, not to exceed ninety (90) days total. Before any public utilities are ordered shut off, the Board of Health shall give notice in writing to the owner, managing agent, or person in control of the vacant premises, that such action is to be taken.

This regulation shall not apply to new construction which is in compliance with the General Laws of the Commonwealth of Massachusetts and local ordinances pertaining thereto; nor shall it apply to new construction which was completed less than three (3) years prior to the date on which the rented dwelling unit, apartment, or tenement becomes vacant. Any owner of such property used for dwelling purposes failing to comply with this regulation shall pay a fine of twenty dollars (\$20.00) each and every day he allows any person or persons to live, occupy or inhabit the said premises without having received a ‘change of occupancy permit’ from the Board of Health.

Revised Change of Occupancy Permit Regulation – effective 7/1/78