

Town of Heath  
Board of Health  
TEMPORARY OCCUPANCY REGULATIONS

**SECTION I: Authority:**

This Board of Health regulation is adopted pursuant to MGL Ch. 111, S. 31, and 105 CMR 410.020 of the Massachusetts Department of Public Housing Code.

**SECTION II Purpose:**

The purpose of this regulation is to promote the health, safety, and general welfare of the residents of the Town of Heath. It also allows the Board of Health to enforce 105 CMR 410.430; which states “No temporary housing may be used, except with the written permission of the board of health.”

**SECTION III Conflict:**

This regulation shall be construed to repeal and supersede any provisions which are currently in effect that are in conflict with this regulation.

**SECTION IV Definitions:**

District A: Agricultural and Residential District

District B: Mohawk Estates

District C: Heath Town Center (refer to zoning bylaws---no camper/trailers allowed)

District D: Agricultural and Forestry District

- **Property Owner:** The owner(s) of record with the Registry of Deeds of any lot or parcel of land. For the purposes of this bylaw, multiple owners are considered one property owner.
  
- **Temporary Dwellings:** A temporary dwelling is any structure (camper/trailers (park models, tow behind, fifth-wheel, or motor), cabins, A-frames, platform tents, or any other dwelling that is used for temporary housing.
  
- **Temporary Occupancy Permit:** Permit issued by the Town of Heath through the Board of Health pursuant to the Heath Board of Health Regulations. Permits are in effect from May 1 through the last day of April for a two year period (24 months) .
  
- **Visiting Camper/Trailer:** A state-registered camper/trailer not owned by the property owner, but which is located on the lot or parcel of a Heath property owner.

**SECTION V Requirements:**

- 1.1. Any temporary dwelling which does not have a well and a conforming septic system on the same parcel of land; may only be used for temporary occupancy and must be issued a Temporary Occupancy Permit. All temporary dwellings must meet the requirements set forth in the Town of Heath Board of Health Regulations, Heath’s Protective Zoning Bylaws, and meet all state health sanitary codes. A Temporary Occupancy Permit will be issued by the Heath Board of Health.

## 2. Camper/Trailer Limitations:

- 2.1. District A (Agricultural and Residential District): Camper/Trailers intended for or capable of being used for overnight occupancy must be issued a Temporary Occupancy Permit from the Heath Board of Health. Owners of camper/trailers with a permanent residential dwelling on their lot with a well and a conforming septic system who intend to use their camper for more than 3 consecutive days, must be issued a Temporary Occupancy Permit from the Board of Health and may be used for 15 days per calendar year.
  - 2.2. District B (Mohawk Estates): Camper/Trailers intended for or capable of being used for overnight occupancy must be issued a Temporary Occupancy Permit from the Heath Board of Health. An exception to the permit requirement would be a property owner who has a permanent residential dwelling on their lot and a conforming septic system, and does not intend to occupy a camper for more than 3 consecutive days, ~~must be issued~~ is not required to have a Temporary Occupancy Permit. You will only be permitted to use the camper/trailer for 15 days per calendar year.
  - 2.3. District C (Heath Town Center): Camper/trailers are not allowed (refer to Heath zoning bylaws)
  - 2.4. District D (Agricultural and Forestry District) Camper/Trailers intended for or capable of being used for overnight occupancy must be issued a Temporary Occupancy Permit from the Heath Board of Health. Owners of camper/trailers with a permanent residential dwelling on their lot with a well and a conforming septic system who intend to use their camper for more than three consecutive days, must be issued a Temporary Occupancy Permit from the Board of Health. You will only be permitted to use the camper/trailer for 15 days per calendar year.
3. Issuance of a Temporary Occupancy Permit is conditional upon meeting the requirements of all Massachusetts safety and health codes. This permit must be renewed every two years and a permit fee of \$50 will be required by the Heath Board of Health.
  4. Temporary dwellings without a Temporary Occupancy Permit that are stored outside for more than two years after owners have received written notice, will be considered abandoned or not used. The Heath Board of Health has the right to condemn and/or order the removal and disposal if they pose a health or safety hazard: at the property owner's expense.

## **SECTION VI Violations:**

The Board of Health shall institute or cause to be instituted any and all legal actions, including but not limited to the non-criminal disposition system that may be necessary for the enforcement of this Regulation.

## **SECTION VII Effective Date:**

Amended and voted May 7<sup>th</sup>, 2014. August 2 , 2017, May 5, 2021