



## **300.00: Vacation and Short-Term Rental Regulations of the Mount Washington Board of Health**

### 300.001: Purpose

The purpose of these regulations is to insure minimum housing, health, safety and sanitary protection for individuals renting properties for the purpose of vacation or short-term use operating in the Town of Mount Washington and to further define any regulation set forth by the Commonwealth of Massachusetts.

### 300.02: Authority

The Mount Washington Board of Health adopts these rules and regulations under the authority which includes, but is not limited to one or more of the following: Massachusetts General Law Chapter 111, Section 31, 132, 122A, 127, 143, 155, 187, 188; Code of Massachusetts Regulations (CMR) 11.02 105 CMR 410.00, 430.00 460.00 and 320 CMR 15.00 and Massachusetts General Law Chapter 40, section 54. Case law upholds the board's authority to adopt regulations that are more restrictive than state standards so long as the local regulations do not conflict with state law and are not specifically preempted.

### 300.003: Citation

300.00 shall be known, and may be cited as Mount Washington Board of Health Vacation and Short-Term Rental Regulations 300.00.

### 300.004: Definitions

**Vacation and Short-Term Rental:** rental of an owner-occupied residence or rooming unit in an owner-occupied residence for a period of time fewer than 28 consecutive days within a 12-month period.

**Potable Water:** as defined in 105 CMR 410.180.

**Private Water Supply:** A private water supply provides water for human consumption and consists of a system that has less than fifteen service connections and either (1) serves less than twenty-five individuals or (2) serves an average of twenty-five or more individuals daily for less than sixty days of the year. The term "private well" is typically used for a well that provides drinking water for a single family residence.

**Septic System:** As defined in 430 CMR 15.00

**Short-Term Vacation or Recreational Rental Exemption Form:** As defined by



Commonwealth of Massachusetts, (MGL c.111, s. 199B) Form entitled CLPPP Form 94-1 (or its official replacement).

300.005: License and Inspection Fees

- (a) A "Vacation or Short-Term Rental" must be licensed and inspected by the Board of Health of the Town of Mount Washington in accordance with all existing and future regulations of the Massachusetts Departments of Health, Environmental Protection, the Massachusetts Board of Building Regulations and Standards and the Mount Washington Board of Health regulations.
- (b) Application for a license to operate under these regulations must be made sixty (60) days prior to projected beginning of operation, using the form issued by the Town of Mount Washington Board of Health.
- (c) Application fee (as listed in fee schedule) is to accompany Application