

HOUSE No. 78

Accompanying the second recommendation of the Department of Public Health (House, No. 77). Public Health.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Forty-Seven.

AN ACT AUTHORIZING THE DEPARTMENT OF PUBLIC HEALTH TO ADOPT A SANITARY CODE.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Section 5 of chapter 111 of the General Laws, as
2 appearing in the Tercentenary Edition, is hereby
3 amended by adding at the end the following new
4 paragraph:

5 Subject to the approval of the governor and council,
6 the department of public health shall have the power
7 to establish and from time to time amend and repeal
8 sanitary regulations. The regulations so established
9 shall be called the sanitary code. The sanitary code
10 may deal with any matters affecting the security of
11 life and health and preservation and improvement of
12 the public health in the commonwealth, and with any
13 matters as to which jurisdiction is hereafter conferred
14 upon the department. Every regulation so adopted
15 by the department shall state the date upon which it
16 takes effect, and a copy thereof duly signed by the

17 commissioner and public health council shall be filed
18 as a public record in the office of the state department
19 of public health. A copy thereof shall be sent by the
20 commissioner of public health to each city and town
21 board of health within the state, and shall be published
22 in such manner as the department may from time to
23 time determine. The commissioner of public health
24 or his deputy shall furnish certified copies of such code
25 and its amendments for a fee of one dollar and such
26 certified copies shall be received in evidence in all
27 courts or other judicial proceedings in the common-
28 wealth. The provisions of the sanitary code shall
29 have the force and effect of law and any violation of
30 any provisions thereof shall be punished by a fine of
31 not more than fifty dollars or by imprisonment for
32 not exceeding six months, or both.