

SENATE No. 559

The Commonwealth of Massachusetts

SENATE, March 13, 1950.

The committee on Public Health, to whom was referred the petition (accompanied by bill, Senate, No. 396) of Charles W. Olson and Clarence F. Telford for legislation relative to trailer coach parks report the accompanying Bill (Senate, No. 559).

For the committee,

CHRISTOPHER H. PHILLIPS.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Fifty.

AN ACT RELATIVE TO TRAILER COACH PARKS.

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 1. Section 27 of chapter 140 of the Gen-
2 eral Laws, as most recently amended by chapter 375
3 of the acts of 1947, is hereby further amended by
4 striking out, in line 5, the word "camp", the third
5 time the same appears, and inserting in place thereof
6 the words: — coach park, — so that the first sentence
7 will read as follows: — Every innholder, and every
8 lodging house keeper required so to do under section
9 twenty-eight, and every person who shall conduct,
10 control, manage or operate, directly or indirectly, any
11 recreational camp, overnight camp or cabin, or trailer
12 coach park, shall keep or cause to be kept, in perma-
13 nent form, a register in which shall be recorded the
14 true name or name in ordinary use and the residence
15 of every person engaging or occupying a private room
16 averaging less than four hundred square feet floor
17 area, excepting a private dining room not containing
18 a bed or couch, or opening into a room containing
19 a bed or couch, for any period of the day or night in
20 any part of the premises controlled by the licensee,
21 together with a true and accurate record of the room

22 assigned to such person and of the day and hour
23 when such room is assigned.

1 SECTION 2. Said chapter 140 is hereby amended
2 by striking out the caption preceding section 32A,
3 inserted by chapter 416 of the acts of 1939, and in-
4 serting in place thereof the following caption:—
5 RECREATIONAL CAMPS, OVERNIGHT CAMPS OR CABINS
6 AND TRAILER COACH PARKS.

1 SECTION 3. Section 32A of said chapter 140, as so
2 inserted, is hereby amended by striking out, in line 4,
3 the word "camp" and inserting in place thereof the
4 words:— coach park,— so as to read as follows:—
5 *Section 32A.* No person shall conduct, control, man-
6 age or operate, directly or indirectly, any recreational
7 camp, overnight camp or cabin or trailer coach park
8 unless he is the holder of a license granted under the
9 following section.

1 SECTION 4. Section 32B of said chapter 140, as
2 most recently amended by chapter 153 of the acts of
3 1945, is hereby amended by striking out, in line 6,
4 the word "camps", the third time the same appears,
5 and inserting in place thereof the words:— coach
6 park,— and by inserting after the word "shall", in
7 line 11, the words:—, except as provided in section
8 thirty-two G,— so that the first two sentences will
9 read as follows:— The board of health of any city or
10 town, in each instance after a hearing, reasonable
11 notice of which shall have been published once in a
12 newspaper published in such city or town, may grant,
13 and may suspend or revoke, licenses for recreational
14 camps, overnight camps or cabins or trailer coach

15 parks located within such city or town, which license,
16 unless previously suspended or revoked, shall expire
17 on December thirty-first in the year of issue, but may
18 be renewed annually upon application without such
19 notice and hearing. The fee for each original license
20 shall, except as provided in section thirty-two G, be
21 three dollars and for each renewal thereof fifty cents.

1 SECTION 5. Section 32C of said chapter 140, in-
2 serted by said chapter 416 of the acts of 1939, is hereby
3 amended by inserting after the word "camps", in line
4 2, and after the word "camp", in line 4, the words:—,
5 trailer coach park, — so as to read as follows:— *Sec-*
6 *tion 32C.* Every board of health shall from time to
7 time examine all camps, trailer coach parks and cabins
8 licensed by it under authority of section thirty-two B,
9 and if, upon such examination, such camp, trailer
10 coach park or cabin is found to be in an unsanitary
11 condition, said board of health may, after notice and
12 a hearing, suspend or revoke the license.

1 SECTION 6. Section 32D of said chapter 140, as so
2 inserted, is hereby amended by inserting after the
3 word "camp", in lines 2 and 4, in each instance, the
4 words:—, trailer coach park, — so as to read as
5 follows:— *Section 32D.* Whoever conducts, controls,
6 manages or operates any camp, trailer coach park or
7 cabin licensed under section thirty-two B shall post
8 in a conspicuous place near the entrance to every such
9 camp, trailer coach park or cabin a copy of the rules
10 and regulations adopted thereunder, as most recently
11 altered or amended.

1 SECTION 7. Section 32E of said chapter 140, as so
2 inserted, is hereby amended by inserting after the

3 word "camp", in line 2, the words:—, trailer coach
4 park,— so as to read as follows:— *Section 32E.*
5 Whoever conducts, controls, manages or operates
6 any camp, trailer coach park or cabin subject to
7 sections thirty-two A to thirty-two C, inclusive,
8 which is not licensed under section thirty-two B,
9 shall be punished by a fine of not less than ten nor
10 more than one hundred dollars.

1 SECTION 8. Said chapter 140 is hereby further
2 amended by inserting after section 32E, as so in-
3 serted, the following six sections, under the caption
4 TRAILER COACH PARKS:—

5 *Section 32F.* Any lot or tract of land upon which
6 three or more trailer coaches occupied for dwelling
7 purposes are located, including any buildings, struc-
8 tures, fixtures and equipment used in connection with
9 trailer coaches, shall be deemed a trailer coach park.
10 No lot or tract of land may be used for a trailer coach
11 park unless the owner or occupant thereof is the
12 holder of a license granted under section thirty-two B.

13 *Section 32G.* The owner or occupant of said land
14 licensed as provided in section thirty-two B, and the
15 holder of any license for a trailer camp issued prior
16 to the effective date hereof, shall annually, on or
17 before April thirtieth, file with the city or town clerk
18 where such license is to be or has been exercised, a
19 certificate of registration setting forth the name and
20 address of the holder of such license. Such fee as
21 may be established from time to time by ordinance
22 or by-law may be charged for any such license or
23 registration, provided the fee for the license shall not
24 exceed fifty dollars, and the fee for the annual regis-
25 tration shall not exceed three dollars. In addition to
26 the annual license fee there shall be a quarterly fee

27 of nine dollars for each trailer coach occupying space
28 in a trailer coach park for a period of more than ten
29 days in any quarter. Such fee shall be collected by
30 the owner of such trailer coach park, who shall file
31 a return thereof with the city or town clerk. Such fee
32 shall not apply to any trailer coach upon which a
33 regular real or personal property tax has been assessed
34 in such city or town.

35 *Section 32H.* An applicant for a license under sec-
36 tion thirty-two B for a trailer coach park which has
37 not been equipped with the buildings, structures,
38 fixtures and facilities necessary to conduct a trailer
39 coach park, shall file with the board a plan showing
40 the buildings, structures, fixtures and facilities, and
41 in general the proposed set-up which he plans to have
42 upon said premises if and when the license may issue,
43 together with an itemized estimate of the cost of the
44 same, and thereupon the board, with the approval of
45 the state department of public health, shall grant a
46 trailer coach park license upon the condition that
47 such license shall issue upon the completion of the
48 premises according to the plans and estimate sub-
49 mitted, providing that the proposed trailer coach park
50 will be in compliance with all applicable laws, ordi-
51 nances, rules and regulations. Such conditional license
52 may be suspended or revoked in accordance with the
53 provisions of section thirty-two B.

54 *Section 32I.* Every holder of a license for a trailer
55 coach park shall keep or cause to be kept, in perma-
56 nent form, a register in which shall be recorded the
57 true name or name in ordinary use, address and regis-
58 tration of each owner and occupant of a trailer coach
59 or motor vehicle renting space at such park, the date
60 of entering and the date of leaving of said trailer

61 coach or motor vehicle. Such register shall be retained
62 by the holder of the license for a period of at least one
63 year after the date of the last entry, and shall be
64 open to the inspection of the licensing authorities,
65 their agents, and the police. Whoever wilfully and
66 knowingly violates any provision of this section shall
67 be punished by a fine of not less than five dollars nor
68 more than one hundred dollars.

69 *Section 32J.* If the trailer coach owner holds
70 possession of a trailer coach space in a trailer coach
71 park without right, after the determination of a lease
72 by its own limitation, or by notice to quit, or other-
73 wise the licensee entitled to the trailer coach space
74 may recover possession thereof by summary process.

75 *Section 32K.* Any person aggrieved by any act,
76 rule, order or decision of the licensing board, may
77 appeal to the superior court. After suspension or
78 revocation the license may be reinstated or reissued
79 if the conditions leading to suspension or revocation
80 have been remedied and the park is being maintained
81 and operated in full compliance with law.

1 SECTION 9. Chapter 255 of the General Laws is
2 hereby amended by inserting after section 25, as
3 appearing in the Tercentenary Edition, the following
4 section:—

5 *Section 25A.* Persons maintaining trailer coach
6 parks for the rental of space to be occupied by trailer
7 coaches and vehicles, for the furnishing of facilities
8 in connection therewith, and for the storage and care
9 of trailer coaches brought to their premises or placed
10 in their care by and with the consent of the owners
11 thereof, shall have a lien upon such trailer coaches and
12 the contents thereof for proper charges due them for

13 such rental, facilities, storage and care, and any tax
14 assessed by reason of such trailer coach having occu-
15 pied space in such trailer coach park.

1 SECTION 10. Section 26 of said chapter 255, as so
2 appearing, is hereby amended by striking out, in
3 line 6, the words "or twenty-five" and inserting in
4 place thereof the words:— , twenty-five or twenty
5 five A,— so as to read as follows:— *Section 26.*
6 A person who has a lien, which is not described in
7 sections fourteen to twenty-two, inclusive, or in chap-
8 ter two hundred and fifty-four, for money due to him
9 on account of work and labor, storage, care and dili-
10 gence, or money expended on or about personal
11 property under a contract express or implied, if such
12 money is not paid, in the case of a lien described in
13 section twenty-four, twenty-five or twenty-five A
14 within ten days, or in other cases within sixty days,
15 after a demand in writing delivered to the debtor or
16 left at his usual place of abode, if within the com-
17 monwealth, or mailed postpaid to him at his usual
18 place of abode without the commonwealth, may file
19 a petition in the superior court or in a district court
20 within the jurisdiction of which the petitioner resides
21 or has his usual place of business for an order for the
22 sale of the property in satisfaction of the debt.

1 SECTION 11. Section 27 of said chapter 255, as so
2 appearing, is hereby amended by striking out, in
3 line 7, the words "or twenty-five" and inserting in
4 place thereof the words:— , twenty-five or twenty-
5 five A,— so as to read as follows:— *Section 27.* The
6 court shall thereupon issue a notice to the owner of
7 the property to appear at a time and place designated,

8 which shall be served by an officer qualified to serve
9 civil process or by a disinterested person by delivering
10 to the owner or by leaving at his usual place of abode,
11 if within the commonwealth, a copy thereof seven
12 days before the hearing in proceedings to enforce liens
13 described in section twenty-four, twenty-five or
14 twenty-five A or fourteen days before the hearing in
15 other cases. The return, if not made by an officer,
16 shall be on oath.

1 SECTION 12. Section 31 of said chapter 255, as so
2 appearing, is hereby amended by striking out, in line
3 1, the word "eight" and inserting in place thereof
4 the word:— nine, — so as to read as follows:— *Sec-*
5 *tion 31.* The nine preceding sections shall not re-
6 strict the right of a person who has a lien upon prop-
7 erty to hold or dispose of it in any other lawful manner.





