

corner of the land of Park United Church; thence running easterly in the southerly line of Hood street 611 feet for a corner; thence turning an angle of 90° and running southerly 107 feet for a corner; thence turning an interior angle of 135° and running southwesterly 195 feet for a corner; thence turning an exterior angle of 135° and running southerly about 160.12 feet to a point in a line of the extension of the northerly line of Brownell street; thence turning and running westerly in said line about 529.72 feet to a point in the northerly line of Brownell street which point is 42 feet westerly of the northeasterly corner of Brownell and Rock streets; thence turning and running northerly about 275.98 feet to the southeasterly corner of the land of the Park United Church; thence turning and running northeasterly by the easterly line of said church land about 141 feet to the northerly line of Hood street and to the point of beginning.

SECTION 2. This act shall take effect upon its passage.
Approved March 11, 1954.

Chap.208 AN ACT VALIDATING AND CONFIRMING CERTAIN ACTION TAKEN BY THE TOWN OF SOUTH HADLEY RELATIVE TO THE CONSTRUCTION OF SEWAGE TREATMENT WORKS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 29 of the acts of 1954 is hereby amended by inserting after section 1 the following section: —
Section 1A. Action taken by the town meeting in the town of South Hadley held on March fifteenth, nineteen hundred and fifty-two shall be as valid and effective as though said act as amended by section one hereof had been in full force and effect at the time of the posting of the warrant for said meeting.

SECTION 2. This act shall take effect upon its passage.
Approved March 11, 1954.

Chap.209 AN ACT ESTABLISHING MINIMUM HOUSING STANDARDS AND RULES AND REGULATIONS RELATIVE THERETO AND DEFINING THE POWERS OF LOCAL BOARDS OF HEALTH RELATIVE TO DWELLING PLACES.

Emergency
preamble.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to make effective without delay the clarification of the existing statute establishing minimum standards and rules and regulations on housing as they affect public health and safety, therefore it is hereby declared to be an emergency law necessary for the immediate preservation of the public health and safety.

Be it enacted, etc., as follows:

G. L. (Ter. Ed.), 111, § 128, repealed. SECTION 1. Section 128 of chapter 111 of the General Laws is hereby repealed.

SECTION 2. Said chapter 111 is hereby amended by inserting after section 128A the four following sections: —

Section 128B. A building, structure, mobile dwelling place, tenement, room or cellar occupied as a dwelling place must be so used and maintained that it shall be fit for such purpose.

G. L. (Ter. Ed.), 111, new §§ 128B-128E, added.

The board of health may examine such buildings, structures, mobile dwelling places, tenements, rooms or cellars in its city or town to determine if any such dwelling place has become, by reason of the number of occupants, uncleanliness or other cause unfit for such purpose, or may become a nuisance or cause of sickness or a cause of home accident to the occupants or to the public.

Minimum housing standards, established.

In the absence of regulations adopted under section one hundred and twenty-eight C any building or portion thereof which is leased, rented or occupied as a dwelling place shall comply with the following housing standards:— (1) The building and premises appurtenant thereto shall be kept reasonably clean and free from rubbish. (2) Floors, ceilings, walls, stairs and windows shall be kept in good repair and serviceable. (3) Cellar, basement, floors, walls and ceilings shall be reasonably free from dampness. (4) Water closets and drains therefrom shall be in repair and working order. (5) Heat-generating equipment shall be reasonably adequate and in a safe and serviceable condition.

If an examination under this section discloses that a building or portion thereof does not so comply, the board of health may determine that the building or portion thereof is unfit for human habitation.

Section 128C. The department of public health shall, or a local board of health may, after notice to all persons deemed interested and a public hearing, make, and from time to time amend, alter or repeal, such regulations as are deemed reasonable and necessary to establish the minimum standards of fitness for human habitation. Such regulations shall be in accordance with accepted standards of public health, sanitation, housing and home safety practice, and may define the responsibilities of owners and tenants. A certified copy of such regulations adopted by the department of public health or local board of health shall be deposited with the state secretary. Regulations made by the department of public health shall be effective in any city or town upon acceptance in a city by vote of the city council, or in a town by vote of the town. A certified copy of acceptance shall be deposited with the state secretary and the commissioner of public health. Regulations made by a local board of health shall become effective upon passage by the board, and publication once in a newspaper of local distribution.

Regulations, notice, hearings, etc.

A copy of said regulations shall be available to the public at all reasonable hours in the office of the clerk in such city or town, or in the office of the board of health. Such regulations shall be enforced by such board of health, or health officer, as the case may be.

Section 128D. Upon a determination by the board of health, after examination as provided in section one hundred

Determination of board.

Orders, etc.

and twenty-eight B that a building, tenement, room, cellar, mobile dwelling place or any other structure (a) is unfit for human habitation, (b) is or may become a nuisance, or (c) is or may be a cause of sickness or home accident to the occupants or to the public, it may issue a written order to the owner or occupant to vacate, to put the premises in a cleanly condition, or to comply with the housing standards set forth in section one hundred and twenty-eight B which are not complied with. The order shall be served in the same manner as is provided for the service of an order by section one hundred and twenty-four of chapter one hundred and eleven. If the owner or occupant refuses to comply with such order, the board of health may cause the premises to be properly cleaned at the expense of the owner or occupant, remove the occupant forcibly and close up the premises, or proceed under section one hundred and twenty-eight E. Premises closed up under the provisions of this section shall not be occupied as a human habitation without written permission of the board of health. An owner who knowingly occupies or permits the premises to be occupied without such permission, or who knowingly violates any regulation adopted under the provisions of section one hundred and twenty-eight C, shall be punished by a fine of not less than ten nor more than fifty dollars for each day of violation.

Penalty.

Jurisdiction in superior court.

Section 128E. Instead of proceeding under section one hundred and twenty-eight D, the board of health, if satisfied that such a building or portion thereof in its town is unfit for human habitation, may issue a written notice to the owner of such building, as appearing in the current records of the assessors of such town, setting forth the particulars of such unfitness and requiring that the conditions be remedied. If the person so notified fails within a reasonable time to remedy the conditions thus set forth, the superior court, on a petition in equity brought by the board of health, shall have jurisdiction, by injunction or otherwise, to enforce the requirements of the board of health.

Approved March 11, 1954

Chap.210 AN ACT RELATIVE TO EXPENDITURES OF MONEY BY THE COUNTY COMMISSIONERS OF BERKSHIRE COUNTY FOR THE PURPOSE OF PROMOTING THE RECREATIONAL ADVANTAGES OF SAID COUNTY.

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of Berkshire county may, for the purpose of advertising the recreational advantages of said county, expend such sums, not exceeding, in the aggregate, thirty thousand dollars in any one year, as may be appropriated therefor; provided, that such expenditures from money so appropriated shall not at any time be more than double the sum which shall have been contributed by public subscription or by donation deposited