

# HOUSE . . . . No. 2166

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## The Commonwealth of Massachusetts.

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HOUSE OF REPRESENTATIVES, April 15, 1912.

The committee on Public Health, to whom was recommitted the Bill relative to the construction and occupation of tenement houses and other dwellings (House, No. 2120), report that the same ought to pass in a new draft herewith submitted.

For the committee,

NORMAN P. WOOD.

## The Commonwealth of Massachusetts.

In the Year One Thousand Nine Hundred and Twelve.

# AN ACT

Relative to Tenement Houses in Towns.

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

### CHAPTER I.

#### GENERAL PROVISIONS.

##### *Short Title.*

- 1 SECTION 1. This act shall be known as the Tenement  
2 House Act for Towns.

##### *Definitions.*

- 1 SECTION 2. Certain words in this act are defined for  
2 the purposes thereof as follows. Words used in the present  
3 tense include the future; words in the masculine gender  
4 include the feminine and neuter; the singular number  
5 includes the plural and the plural the singular; the word  
6 "person" includes a corporation as well as a natural per-  
7 son.

- 8 (1) A "tenement house" is any house or building, or  
9 portion thereof, which is rented, leased, let or hired out, to

10 be occupied, or is occupied, or is intended, arranged or  
11 designed to be occupied as the home or residence of two  
12 or more families (a family may consist of one or more per-  
13 sons) living independently of each other and having a  
14 common right in the halls, stairways, yard, cellar, sinks,  
15 water closets or privies, or any of them, and includes lodg-  
16 ing and boarding houses, apartment houses, and flat houses.  
17 Dwelling houses built in continuous rows of more than  
18 two houses, occupied or intended, arranged or designed  
19 to be occupied as the home or residence of one family or  
20 more having a common right in or using in common the  
21 halls, stairways, yards, cellars, sinks, water closets or  
22 privies, or any of them, shall be deemed to be tenement  
23 houses and shall be subject to all the provisions of this act.

24 (2) A "lodging house" or "boarding house" is any  
25 house or building, or portion thereof, in which six or more  
26 persons are harbored, received, or lodged for hire, or any  
27 building, or part thereof, which is used as a sleeping place  
28 or lodging for six or more persons not members of the  
29 family residing therein.

30 (3) A "yard" is an open unoccupied space on the same  
31 lot with a tenement house, between the extreme rear line  
32 of the house and the extreme rear line of the lot. An  
33 open unoccupied space between the front line of the house  
34 and the front line of the lot is a "front yard." A side  
35 yard shall be deemed an outer court on the lot line.

36 (4) A "half story" is any story included in the roof of  
37 which the floor area of the rooms is not more than seventy-  
38 five per centum of the area of the ground floor.

39 (5) A "court" is an open unoccupied space, other than  
40 a yard, on the same lot with a tenement house. A court  
41 not extending to the street or yard is an "inner court."  
42 A court extending to the street or yard is an "outer  
43 court."

44 (6) A "public hall" is a hall, corridor or passageway not  
45 within an apartment.

46 (7) A "stair hall" includes the stairs, stair landings and  
47 those portions of the public halls through which it is neces-  
48 sary to pass in going from the entrance floor to the roof.

49 (8) A "basement" is a story partly but not more than  
50 one-half below the level of the adjacent ground.

51 (9) A "cellar" is a story more than one-half below the  
52 level of the adjacent ground.

53 (10) A "fireproof tenement house" is one constructed of  
54 fireproof material throughout, with floors built of iron,  
55 steel or reinforced concrete beams, filled in between with  
56 terra-cotta or other masonry arches or with concrete or  
57 reinforced concrete slabs; wood may be used only for under  
58 and upper floors, windows and door frames, sashes, doors,  
59 interior finish, hand rails for stairs, necessary sleepers  
60 bedded in the cement, and for isolated furrings bedded in  
61 mortar. There shall be no air space between the top of  
62 any floor arches and the floor boarding.

63 (11) A "wooden building" is a building of which the  
64 exterior walls or a portion thereof are wood.

65 (12) The word "nuisance" shall be held to embrace  
66 public nuisance as known at common law or in equity  
67 jurisprudence; and it is further enacted that whatever is  
68 dangerous to human life or detrimental to health; what-  
69 ever building or erection, or part or cellar thereof, is over-  
70 crowded with occupants, or is not provided with adequate  
71 ingress and egress to and from the same, or the apartments  
72 thereof, or is not sufficiently supported, ventilated, sewered,  
73 drained, cleaned or lighted, in reference to their or its  
74 intended or actual use; and whatever renders the air or  
75 human food or drink unwholesome, are also severally in  
76 contemplation of this act, nuisances; and all such nuisances  
77 are hereby declared unlawful.

78 (13) The word "shall" is always mandatory and not  
79 directory, and denotes that the house shall be maintained  
80 in all respects according to the mandate as long as it con-  
81 tinues to be a tenement house.

82 (14) Wherever the words "by-laws", "regulations",  
83 "building inspector", "board of health", "town counsel",  
84 or "town treasury", occur in this act they shall be con-  
85 strued as if followed by the words "of the town in which  
86 the tenement house is situated". Wherever the words "is  
87 occupied" are used in this act, applying to any building  
88 such words shall be construed as if followed by the words  
89 "or is intended, arranged or designed to be occupied".  
90 Whenever the word "street" is used in this act, it shall  
91 be construed as including any public alley, railroad right  
92 of way, cemetery or public park, twenty feet or more  
93 in width.

94 (15) The "height" of a tenement house is the perpen-  
95 dicular distance measured in a straight line from the curb  
96 level, or from the finished grade line of the lot, where such  
97 grade is higher than the curb, to the highest point of the  
98 roof beams in the case of flat roofs, and to the average of  
99 the height of the gable in the case of pitched roofs,  
100 the measurements in all cases to be taken through the  
101 center of the facade of the house. Where a building is on  
102 a corner lot and there is more than one grade or level, the  
103 measurements shall be taken through the center of the  
104 facade on the street having the lowest elevation.

105 (16) Occupied spaces. Outside stairways, fire escapes,  
106 porches, platforms and other projections shall be considered  
107 as part of the building and not as part of the yard or  
108 courts or unoccupied area.

109 (17) A "corner lot" is a lot situated at the junction of  
110 two streets, each not less than twenty feet in width. Any  
111 portion of the width of such lot distant more than seventy

112 feet from such junction shall not be regarded as part of a  
113 corner lot but shall be subject to the provisions of this act  
114 respecting interior lots.

115 (18) An "interior lot" is any other lot than a corner lot.

116 (19) The front of a lot is that boundary line which bor-  
117 ders on the street. In the case of a corner lot, the owner  
118 may elect by statement on his plans either street boundary  
119 line as the front. The rear of a lot is the side opposite to  
120 the front. In the case of a triangular or gore lot the rear  
121 shall be the side not bordering on a street.

*Buildings converted or altered.*

1 SECTION 3. A building not a tenement house, if hereafter  
2 converted or altered to such use, shall thereupon become  
3 subject to all the provisions of this act affecting tenement  
4 houses hereafter erected.

*Alterations and Change in Occupancy.*

1 SECTION 4. No tenement house hereafter erected shall  
2 at any time be altered so as to be in violation of any pro-  
3 visions of this act. If any tenement house or any part  
4 thereof is occupied by more families than provided in this  
5 act, or is erected or altered or occupied contrary to law  
6 such tenement house shall be deemed an unlawful structure,  
7 and the board of health may cause such building to be  
8 vacated. And such building shall not again be occupied  
9 until it or its occupation, as the case may be, has been  
10 made to conform to the law.

*Law not to be modified.*

1 SECTION 5. The provisions of this act shall be held to  
2 be the minimum requirements adopted for the protection of  
3 the health and safety of the community. Nothing in this  
4 act contained shall be construed as prohibiting any town

5 from enacting from time to time supplementary by-laws  
6 imposing further restrictions, but no regulation or ruling  
7 of any town authority shall repeal, amend, modify or dis-  
8 pense with any provision of this act.

*Sewer Connection and Water Supply.*

1 SECTION 6. The provisions of this act with reference  
2 to sewer connection and water supply shall be deemed to  
3 apply only where connection with a public sewer and with  
4 public water mains is or becomes accessible. The ques-  
5 tions of the practicability of such sewer and water con-  
6 nections shall be decided by the local board of health,  
7 or by the state board of health upon request of the local  
8 board.

*State Board of Health.*

1 SECTION 7. The state board of health shall have power  
2 to examine into the enforcement of the laws relating to  
3 tenement houses in any town. Whenever required by the  
4 governor, it shall make such an examination and shall  
5 report the result thereof to the governor within the time  
6 prescribed by him therefor.

*Time for Compliance.*

1 SECTION 8. All improvements specifically required by  
2 this act upon tenement houses erected prior to the date of  
3 its acceptance by a town shall be made within one year  
4 from said date, or at such earlier period as may be fixed by  
5 the board of health.

## CHAPTER II.

## NEW BUILDINGS.

## TITLE 1. LIGHT AND VENTILATION.

*Percentage of Lot occupied.*

1 SECTION 10. No tenement house hereafter erected shall  
2 occupy either alone or with other buildings more than  
3 sixty-five per centum of a corner lot, nor more than fifty  
4 per centum of any other lot; the measurements shall be  
5 taken at the ground level. No measurements of lot area  
6 shall include any portion of any street or alley.

*Distance from Side Lot Line.*

1 SECTION 11. No non-fireproof tenement house shall  
2 hereafter be erected, enlarged, or placed with the side walls  
3 nearer than ten feet to the line of any adjoining lot, or with  
4 any wall nearer than twenty feet to the wall of any other  
5 building. No lot upon which a tenement house stands  
6 shall be changed in size to bring the side walls of said  
7 house nearer than ten feet to the lines of any adjoining lot  
8 or any wall of said house nearer than twenty feet to the  
9 wall of any other building.

*Height.*

1 SECTION 12. No tenement house hereafter erected shall  
2 exceed in height the width of the widest street upon which  
3 it stands, unless such house be set back from the street a  
4 distance at least equal to the excess of such height over the  
5 width of such street, nor shall it in any case exceed four  
6 stories in height.

*Yards.*

1 SECTION 13. Behind every tenement house hereafter  
2 erected there shall be a yard extending across the entire  
3 width of the lot and at every point open from the ground

4 to the sky unobstructed. Every part of such yard shall be  
5 directly accessible from every other part thereof. The  
6 depth of said yard shall be measured from the extreme rear  
7 of the house to the rear line of the lot. If the tenement  
8 house is three stories or less in height the depth of the  
9 yard in the case of interior lots shall be at least twenty-  
10 five feet, and the depth of the yard in the rear of corner  
11 lots shall be at least fifteen feet. If the tenement house  
12 exceeds three stories in height, the depths above prescribed  
13 in each case shall be increased five feet for each story above  
14 three stories.

#### *Courts.*

1 SECTION 14. The sizes of all courts in tenement houses  
2 hereafter erected shall be proportionate to the height of the  
3 building. No court shall be less in any part than the mini-  
4 mum sizes prescribed in this section. The minimum width  
5 of a court for a two story building shall be ten feet, and  
6 the width shall increase two feet for each additional  
7 story. The length of an inner court shall never be less  
8 than twice the minimum width prescribed by this sec-  
9 tion. The length of an outer court shall never be  
10 greater than twice its minimum width, but this limitation  
11 of length shall not apply to an outer court on the lot line  
12 extending from yard of street to yard.

#### *Courts Open at Top.*

1 SECTION 15. No court of a tenement house hereafter  
2 erected shall be covered by a roof or skylight but every  
3 court shall be at every point open from the ground to the  
4 sky unobstructed.

#### *Air Intakes.*

1 SECTION 16. In every tenement house hereafter erected  
2 every inner court shall be provided with two or more hori-  
3 zontal air intakes at the bottom. One such intake shall

4 always communicate directly with the street and one with  
5 the yard, and shall consist of a fireproof passageway not  
6 less than three feet wide and seven feet high which shall be  
7 left open, or be provided with an openwork gate at each end,  
8 and such gate shall not be covered over in any way either  
9 by glass or any other material.

*Angles in Courts.*

1 SECTION 17. Nothing contained in the foregoing sec-  
2 tions concerning courts shall be construed as preventing  
3 windows at the angles of said courts: *provided*, that the  
4 running length of the wall containing such windows does  
5 not exceed six feet.

*Buildings on Same Lot with Tenement Houses.*

1 SECTION 18. If any building is hereafter placed on the  
2 same lot with a tenement house there shall always be main-  
3 tained between the said buildings an open unoccupied space  
4 extending upward from the ground and extending across  
5 the entire width of the lot. Such space shall never be less  
6 than twenty-five feet in depth and where either building  
7 exceeds three stories in height the depth of such open space  
8 shall be increased five feet for each story above three  
9 stories. And no building of any kind shall be hereafter  
10 placed upon the same lot with a tenement house so as  
11 to decrease the minimum size of courts or yards as herein  
12 before prescribed. And if any tenement house is hereafter  
13 erected upon any lot upon which there is already another  
14 building, it shall comply with all the provisions of this act,  
15 and in addition the space between the said building and  
16 the said tenement house shall be of such sizes and arranged  
17 in such manner as is prescribed in this section, the height  
18 of the highest building on the lot to regulate the dimen-  
19 sions.

*Frontage on Street.*

1 SECTION 19. Every tenement house hereafter erected  
2 shall have an unobstructed frontage upon a street not less  
3 than twenty feet wide. No tenement house nor any other  
4 building shall hereafter be erected, enlarged or placed on  
5 the same lot with a tenement house in such manner that  
6 any tenement house shall be left without an unobstructed  
7 frontage upon a street not less than twenty feet wide.

*Rooms, Lighting and Ventilation of.*

1 SECTION 20. In every tenement house hereafter erected  
2 every room, including water-closet compartments and bath-  
3 rooms, shall have at least one window opening directly  
4 upon the street or upon a yard or court of the dimensions  
5 specified in this chapter, and such window shall be so  
6 located as properly to light all portions of such rooms.

*Windows in Rooms.*

1 SECTION 21. In every tenement house hereafter erected  
2 the total window area in each room, including water-closet  
3 compartments and bath-rooms, shall be at least one seventh  
4 of the superficial area of the room, and the top of at  
5 least one window shall not be more than eight inches below  
6 the ceiling, and the upper half of it shall be made so as to  
7 open the full width. At least one such window in rooms  
8 other than bath-rooms or water-closets shall be not less than  
9 twelve square feet in area between the stop beads; and in  
10 water-closet compartments and bath-rooms at least one  
11 such window shall be not less than six square feet in area  
12 between the stop beads.

*Rooms, Size of.*

1 SECTION 22. In every tenement house hereafter erected  
2 there shall be in each apartment at least one room con-  
3 taining not less than one hundred and fifty square feet of  
4 floor area. All rooms shall be in every part not less than  
5 nine feet from the finished floor to the finished ceiling,  
6 except that an attic room need be nine feet high in but  
7 one half of its area.

*Alcoves and Alcove Rooms.*

1 SECTION 23. In a tenement house hereafter erected  
2 an alcove in any room shall be separately lighted and ven-  
3 tilated as provided for rooms in the foregoing sections and  
4 shall not be less than one hundred square feet in area. No  
5 part of any room in a tenement house hereafter erected  
6 shall be enclosed or subdivided at any time, wholly or in  
7 part, by a curtain, portiere, fixed or movable partition or  
8 other contrivance or device, unless such part of the room  
9 so enclosed or subdivided shall contain a separate window  
10 as herein required and shall have a floor area of not less  
11 than one hundred square feet.

*Chimneys and Fireplaces.*

1 SECTION 24. In every tenement house hereafter erected  
2 there shall be adequate chimneys running through every  
3 floor with an open fireplace or grate or place for a stove, for  
4 every apartment, properly connected with one of said  
5 chimneys.

*Privacy.*

1 SECTION 25. In every tenement house hereafter erected,  
2 in each apartment access to every living room and bed-  
3 room, and to at least one water-closet compartment shall  
4 be had without passing through a bedroom or bath-room.

*Public Halls.*

1 SECTION 26. In every tenement house hereafter erected,  
2 every public hall shall have at each story at least one  
3 window opening directly upon the street or upon a yard  
4 or court of the dimensions specified in this chapter. Such  
5 window shall be at the end of said hall with the plane of  
6 the window at right angles to the hall's axis. Any part  
7 of a public hall which is in any way shut off from any  
8 other part of said hall shall be deemed a separate hall  
9 within the meaning of this section.

*Windows for Public Hall, Sizes of.*

1 SECTION 27. One at least of the windows provided to  
2 light each public hall or part thereof shall be at least two  
3 feet six inches wide and five feet high, measured between  
4 stop beads, and the top of such window shall not be more  
5 than eight inches below the ceiling. In every such house  
6 there shall be in the roof, directly over each stair well a  
7 ridge ventilator having a minimum opening of forty square  
8 inches and with movable louvres.

*Windows for Stair Halls, Size of.*

1 SECTION 28. In every tenement house hereafter erected  
2 there shall be provided for each story at least one window  
3 to light and ventilate each stair hall which shall be at least  
4 two feet six inches wide and five feet high measured between  
5 the stop beads. A sash door shall be deemed the equiva-  
6 lent of a window in this and the two foregoing sections, pro-  
7 vided that each door contains the amount of glazed surface  
8 prescribed for such windows.

## TITLE 2. SANITATION.

*Basement and Cellar Rooms.*

1 SECTION 35. In tenement houses hereafter erected no  
2 room in the basement or cellar shall be constructed, altered,  
3 converted or occupied for living purposes.

*Cellars, Damp Proofing and Lighting of.*

1 SECTION 36. Every tenement house hereafter erected  
2 shall have the walls below the ground level, and the cellar  
3 floor damp proof. All cellars and basements in such tene-  
4 ment houses shall be properly lighted and ventilated in all  
5 their parts to the satisfaction of the board of health.

*Spaces under Floors.*

1 SECTION 37. In any tenement house hereafter  
2 erected, under any part of which there is no cellar,  
3 the first or ground floor shall be at least two feet above the  
4 ground beneath and that adjacent thereto and the space  
5 beneath such floor shall be kept free and clear and shall be  
6 enclosed to prevent the accumulation of rubbish, but pro-  
7 vided with ample ventilation and adequate drainage.

*Courts, Areas and Yards.*

1 SECTION 38. In every tenement house hereafter erected  
2 all courts, areas and yards shall be properly graded and  
3 drained. And when necessary in order to keep such prem-  
4 ises in a sanitary condition such courts, areas or yards, or  
5 such portion thereof as the board of health shall order,  
6 shall be properly concreted.

*Sinks.*

1 SECTION 39. In every tenement house hereafter erected  
2 there shall be provided in each apartment a proper sink.

*Water-closets.*

1 SECTION 40. In every tenement house hereafter erected  
2 there shall be within each apartment a separate water-  
3 closet, located in a bath-room or in a separate compart-  
4 ment. Each such water-closet shall be completely sepa-  
5 rated from every other water-closet. Said compartment  
6 shall be not less than three feet wide, and shall be enclosed  
7 with plastered partitions which shall extend to the ceiling.  
8 Every such compartment shall have a window opening  
9 directly upon the street or upon a yard or court of the  
10 minimum size prescribed by this act. Every water-closet  
11 compartment hereafter placed in any tenement house  
12 shall be provided with proper means of lighting the same  
13 at night. The floor of every such water-closet compart-  
14 ment shall be made water-proof with asphalt, tile, stone,  
15 or some other nonabsorbing water-proof material; and  
16 such water-proofing shall extend at least six inches above  
17 the floor so that said floor can be washed or flushed out  
18 without leaking. When located in a bath-room it shall  
19 be sufficient to water-proof the floor directly beneath the  
20 fixture and extending one foot beyond it in each direction.  
21 No drip trays shall be permitted. No water-closet fixtures  
22 shall be enclosed with any woodwork. No water-closet  
23 shall be placed in the cellar.

*Plumbing.*

1 SECTION 41. In every tenement house hereafter erected  
2 no plumbing fixtures shall be enclosed with woodwork.  
3 All plumbing pipes shall be exposed except as otherwise  
4 permitted by the board of health. Wherever plumbing or  
5 other pipes pass through floors or partitions the openings  
6 around such pipes shall be sealed or made air-tight with  
7 plaster or other incombustible materials, so as to prevent

8 the passage of air or the spread of fire from one floor to  
9 another or from room to room. All plumbing work, shall  
10 be sanitary in every particular and except as otherwise  
11 specified in this act, shall be in accordance with the local  
12 plumbing regulations. Pan and long hopper closets will  
13 not be permitted.

*Water Connection.*

1 SECTION 42. In every tenement house hereafter erected  
2 all sinks and water-closets shall be provided with an ade-  
3 quate supply of running water as approved by the board  
4 of health.

*Privies and Privy Vaults.*

1 SECTION 43. No privy or privy vault shall be permitted  
2 on the same lot with any tenement house hereafter erected.

*Sewer Connection.*

1 SECTION 44. Every tenement house hereafter erected  
2 on a street in which there is a public sewer, or in which  
3 a public sewer shall hereafter be placed shall be connected  
4 therewith.

*Cesspools.*

1 SECTION 45. No cesspool shall be permitted in the cellar  
2 or court of any tenement house, nor within fifteen feet of  
3 any wall of said tenement house, or of any dwelling house.

TITLE 3. FIRE PROTECTION.

*Fireproof Tenement, when required.*

1 SECTION 50. No tenement house shall hereafter be  
2 erected exceeding two and one half stories in height, nor  
3 shall it be occupied, nor intended, arranged or designed to  
4 be occupied, by more than two families, unless it be a fire-  
5 proof tenement house.

*Stairs.*

1 SECTION 51. Every tenement house hereafter erected  
2 shall have at least two independent flights of stairs with  
3 separate entrances leading from the entrance floor to the  
4 top story, said flights of stairs being at two points  
5 as far apart as is possible in the opinion of the building  
6 inspector. Said stairs shall be directly accessible from each  
7 apartment, without passing through any other apartment.  
8 One of said flights of stairs may consist of outside, open  
9 stairs and balconies. All stairs and balconies and all  
10 public halls shall be at least three feet wide in the clear.  
11 All stairs shall be constructed with a rise of not more than  
12 seven and one half inches and with treads not less than ten  
13 and one half inches wide, and not less than three feet long  
14 in the clear. Winders shall not be permitted in any stair-  
15 case.

*Cellar Entrance.*

1 SECTION 52. In every tenement house hereafter erected  
2 there shall be an entrance to the cellar or other lowest  
3 story from the outside of said building.

*Fire Walls.*

1 SECTION 53. Where non-fireproof tenement houses are  
2 built in the form of double houses or terraces, or attached  
3 or semi-detached rows, there shall be a fireproof wall  
4 of brick, concrete, terra cotta or other hard incombustible  
5 material approved by the inspector of buildings, separat-  
6 ing each such house from each adjoining house, and such  
7 wall shall have no openings therein and shall extend  
8 from the floor of the basement or cellar to the underside  
9 of the sheathing of the roof, and out to the boarding of the  
10 walls. No wooden beams shall be carried through the fire  
11 walls.

*Roofing Materials.*

1 SECTION 54. Every tenement house hereafter erected  
2 shall have the roof in all parts and the sides of all dormer  
3 windows covered with incombustible material satisfactory  
4 to the building inspector.

*Wooden Tenement Houses.*

1 SECTION 55. In no wooden tenement house hereafter  
2 erected shall any story or portion thereof above the second  
3 story be rented, leased, let or hired out to be occupied for  
4 housekeeping, nor shall it be intended, arranged or designed  
5 to be occupied for housekeeping, nor shall any provision be  
6 made for cooking nor shall any cooking be done above the  
7 second story.

## CHAPTER III.

## IMPROVEMENTS.

*Rooms, Lighting and Ventilating of.*

1 SECTION 60. No room in a tenement house erected  
2 prior to the acceptance of this act shall hereafter be occu-  
3 pied for living purposes unless it shall have a window open-  
4 ing directly upon the street, or upon a yard not less than  
5 ten feet deep, or above the roof of an adjoining building, or  
6 upon a court of not less than thirty square feet in area,  
7 open to the sky without roof or skylight.

*Public Halls, Lighting and Ventilating of.*

1 SECTION 61. In every tenement house erected prior to  
2 the acceptance of this act, the public halls and stairs shall  
3 be provided with sufficient light to permit the reading of  
4 twelve point type in the daytime in any part thereof.  
5 Light and ventilation in such halls shall be to the outer  
6 air except when in the opinion of the building inspector it

7 is impracticable, in which case the lighting and ventilation  
8 shall be such as to meet the approval of the board of  
9 health.

10 All new sky lights hereafter placed in such house shall  
11 be provided with ridge ventilators having a minimum open-  
12 ing of forty square inches and also with either fixed or  
13 movable louvres or with movable sashes, and shall be of  
14 such size as may be determined to be practicable by the  
15 building inspector.

*Sinks.*

1 SECTION 62. In every tenement house erected prior to  
2 the acceptance of this act, the woodwork enclosing sinks  
3 located in the public halls or stairs shall be removed and  
4 the spaces underneath shall be left open. The floors and  
5 wall surfaces beneath and around the sink shall be put in  
6 good order and repair, and if of wood shall be well painted  
7 with light-colored paint.

*Water-closets.*

1 SECTION 63. In every tenement house erected prior to  
2 the acceptance of this act, the woodwork enclosing every  
3 water-closet fixture shall be removed, and the space under-  
4 neath the seat shall be left open. The floor or other sur-  
5 faces beneath and around the closet shall be put in good  
6 order and repair and if of wood shall be well painted with  
7 light-colored paint.

*Privy Vaults, School-sinks and Water-closets.*

1 SECTION 64. In every tenement house erected prior to  
2 the acceptance of this act, where a connection with a sewer  
3 is possible, all school-sinks, privy vaults or other similar  
4 receptacles used to receive fecal matter, urine or sewage,  
5 shall within one year from the acceptance of this act be  
6 completely removed and the place where they were located

7 properly disinfected under the direction of the board of  
8 health. Such appliances shall be replaced by individual  
9 water-closets of durable non-absorbent material, properly  
10 sewer-connected, with individual traps and properly con-  
11 nected flush tanks providing an ample flush of water thor-  
12 oughly to cleanse the bowl. Each water-closet shall be  
13 located inside the tenement house in a compartment com-  
14 pletely separated from every other water-closet, and such com-  
15 partment shall contain a window of not less than three square  
16 feet in area opening directly to the street, or yard, or on a  
17 court of the minimum size prescribed in section fourteen  
18 of this act. The floors of the water-closet compartments  
19 shall be waterproof as provided in section forty of this  
20 act. There shall be provided at least one water-closet  
21 for every two families in every tenement house existing on  
22 the day this act takes effect. Such water-closets and all  
23 plumbing in connection therewith shall be sanitary in every  
24 respect and except as in this section otherwise provided  
25 shall be in accordance with the laws, town by-laws and  
26 regulations in relation to plumbing and drainage. Pan and  
27 long hopper closets will not be permitted.

*Basements and Cellars.*

1 SECTION 65. The floor of the cellar or lowest floor of  
2 every tenement house shall be free from dampness and,  
3 when necessary, shall be concreted with four inches of  
4 concrete of good quality and with a finished surface. The  
5 cellar ceiling of every tenement house shall be plastered,  
6 when so required by the building inspector except where  
7 such ceiling is already well sheathed with matched boards  
8 or well covered with a metal ceiling or where the first floor  
9 above the cellar is constructed of iron beams and fire-  
10 proof filling.

*Shafts and Courts.*

1 SECTION 66. In every tenement house there shall be,  
2 at the bottom of every shaft and court, a door giving suffi-  
3 cient access to such shaft or court to enable it to be properly  
4 cleaned out: *provided*, that where there is already a window  
5 giving proper access to such shaft or court, such window  
6 shall be deemed sufficient.

*Fire-escapes.*

1 SECTION 67. All non-fireproof tenement houses erected  
2 prior to the acceptance of this act, which are three or more  
3 stories in height, which do not have fireproof stairs and  
4 stair halls or adequate fire-escapes as hereinafter required  
5 shall be provided either with fireproof outside stairways  
6 or with fireproof fire-escapes directly accessible to each  
7 apartment without passing through a public hall.

8 No existing fire-escape shall be deemed adequate unless  
9 the following conditions are complied with:

10 (1) In every tenement house each apartment above the  
11 ground floor shall have a fire-escape balcony directly accessi-  
12 ble to it.

13 (2) All balconies shall be properly connected with each  
14 other by adequate stairs or stationary ladders with open-  
15 ings not less than twenty-four by thirty-six inches.

16 (3) All fire-escapes shall have proper ladders from the  
17 lowest balcony of sufficient length to reach a safe landing  
18 place beneath.

19 (4) All fire-escapes not on the street shall have a safe  
20 and adequate means of egress from the yard or court to  
21 the street or to adjoining premises.

22 (5) Prompt and ready access shall be had to all fire-  
23 escapes, which shall not be obstructed in any way.

24 No existing fire-escape shall be extended or have its loca-

25 tion changed except with the written approval of the  
26 inspector of buildings.

27 All fire-escapes hereafter placed on tenement houses  
28 erected prior to the acceptance of this act shall be located  
29 and constructed as follows: All such fire-escapes shall open  
30 directly from at least one room or private hall in each  
31 apartment at each story above the ground floor, other than  
32 a bath-room or water-closet compartment, and such room  
33 or private hall shall be accessible to every room thereof  
34 without passing through a public hall. Access to fire-  
35 escapes shall not be obstructed in any way. Fire-escapes  
36 shall not be placed in any court. Fire-escapes may pro-  
37 ject into a public street but not more than four feet beyond  
38 the building line. All fire-escapes shall consist of outside  
39 fireproof balconies and stairways. All balconies shall be  
40 not less than three feet in width and shall include at least  
41 one window or outside door of each apartment at each  
42 story above the ground floor.

43 All fire-escape stairways shall be placed at an angle of  
44 not more than forty-five degrees, with flat open steps not  
45 less than nine inches in width and twenty-four inches in  
46 length, and with a rise of not more than nine inches. The  
47 openings for stairways in all balconies shall be not less  
48 than twenty-four by thirty-six inches, and shall have no  
49 covers of any kind. When tenement houses upon which  
50 fire-escapes are placed have flat roofs the balcony on the  
51 top floor, except in the case of a balcony on the street, shall  
52 be provided with a stairs or with a goose-neck ladder lead-  
53 ing from said balcony to and above the roof and properly  
54 fastened thereto. A drop ladder or stairs shall be provided  
55 from the lowest balcony of sufficient length to reach to a  
56 safe landing place beneath. All fire-escapes shall be con-  
57 structed and erected to safely sustain in all their parts a  
58 safe load. In addition to the foregoing requirements, all

59 fire-escapes hereafter erected upon tenement houses shall  
60 be constructed in accordance with such supplementary  
61 regulations as may be adopted by the building department.

*Means of Egress.*

1 SECTION 68. Whenever a tenement house is not pro-  
2 vided with sufficient fire-escapes or with sufficient means of  
3 egress in case of fire, the building inspector shall order such  
4 additional fire-escapes and other means of egress as may be  
5 necessary.

CHAPTER IV.

ALTERATIONS.

1 (In this chapter will be found the provisions which must  
2 be observed when a person proposes to alter an existing  
3 tenement house.)

*General Provisions.*

1 SECTION 75. No tenement house erected prior to the  
2 acceptance of this act shall at any time be altered so as to  
3 be in violation of the requirements of chapter two, except  
4 as hereinafter provided.

5 (1) Any additional room or hall that is hereafter con-  
6 structed or created in a tenement house shall comply in all  
7 respects with the provisions of chapter two of this act,  
8 except that such rooms may be of the same height as the  
9 other rooms in the same story of the house.

10 (2) All shafts shall be constructed fireproof throughout;  
11 with fireproof self-closing doors at all openings, at each  
12 story; and, if they extend to the cellar, shall also be en-  
13 closed in the cellar with fireproof walls and fireproof self-  
14 closing doors at all openings. In no case shall any shaft  
15 be constructed of materials in which any inflammable  
16 material or substance enters into any of the component  
17 parts. But nothing in this section contained shall be so

18 construed as to require such enclosures about elevators  
19 or dumb-waiters in the wellhole of stairs where the stairs  
20 themselves are enclosed in brick or stone walls, and are  
21 entirely constructed of fireproof materials as hereinafter  
22 provided.

23 (3) No wooden tenement house containing more than  
24 two apartments shall hereafter be enlarged or extended;  
25 except that a wooden extension not exceeding in total area  
26 seventy square feet may be added to an existing wooden  
27 tenement house, provided such extension is used solely for  
28 bath-rooms or water-closets.

## CHAPTER V.

### MAINTENANCE.

#### *Public Halls, Lighting of, in the Daytime.*

1 SECTION 80. In every tenement house where the public  
2 halls and stairs are not in the opinion of the board of health  
3 sufficiently lighted, the owner of such house shall keep a  
4 proper light burning in the hallway, near the stairs, upon  
5 each floor, as may be necessary, from sunrise to sunset.

#### *Public Halls, Lighting at Night.*

1 SECTION 81. In every tenement house occupied by more  
2 than two families a proper light shall be kept burning by  
3 the owner in the public hallways, near the stairs, upon the  
4 entrance floor, and upon the second floor above the entrance  
5 floor of said house, every night from sunset to sunrise  
6 throughout the year, and upon all other floors of the said  
7 house from sunset until ten o'clock in the evening.

#### *Water-closets in Cellars.*

1 SECTION 82. No water-closet shall be permitted in the  
2 cellar of any tenement house.

*Water-closet Accommodations.*

1 SECTION 83. In every tenement house existing prior to  
2 the acceptance of this act there shall be provided at least  
3 one water-closet for every two families.

*Basement and Cellar Rooms.*

1 SECTION 84. Hereafter in tenement houses erected prior  
2 to the acceptance of this act no room in the cellar shall be  
3 occupied for living purposes. And no room in the base-  
4 ment of such houses shall be so occupied, unless all the  
5 following conditions are complied with: Such room shall  
6 be at least eight feet high in every part from the floor to  
7 the ceiling. There shall be appurtenant to such room the  
8 use of a water-closet. Such room shall have a window  
9 opening directly to the street or yard, of at least twelve  
10 square feet in size clear of the sash frame, and which shall  
11 open readily for purposes of ventilation. The lowest  
12 floor shall be waterproof and damp proof. Such room  
13 shall have sufficient light and ventilation, shall be well  
14 drained and dry, and shall be fit for human habitation.

*Cellar Walls and Ceilings.*

1 SECTION 85. The cellar walls and ceilings of every tene-  
2 ment house shall be thoroughly whitened or painted a light  
3 color by the owner and shall be so maintained. Such whit-  
4 ening or paint shall be renewed whenever necessary, as  
5 may be required by the board of health.

*Water-closets and Sinks.*

1 SECTION 86. In all tenement houses the floor or other  
2 surface beneath and around water-closets and sinks shall  
3 be maintained in good order and repair and if of wood shall  
4 be kept well painted with light colored paint.

*Repairs.*

1 SECTION 87. Every tenement house and all the parts  
2 thereof shall be kept in good repair, and the roof shall be  
3 kept so as not to leak, and all rain water shall be so drained,  
4 and conveyed therefrom, as to prevent dampness in the  
5 walls, ceilings, yards, or areas.

*Water Supply.*

1 SECTION 88. Every tenement house shall have water  
2 furnished in sufficient quantity at one or more places in  
3 each apartment. The owner shall provide proper and  
4 suitable tanks, pumps, or other appliances to receive and  
5 distribute an adequate and sufficient supply of such water  
6 at each apartment in the said house, at all times of the year  
7 during all hours of the day and night. But a failure in the  
8 general supply of water by the town authorities shall not  
9 be construed to be a failure on the part of such owner,  
10 provided that proper and suitable appliances to receive and  
11 distribute such water have been provided in said house.

*Cleanliness of Buildings.*

1 SECTION 89. The owner of every tenement house shall  
2 cause every part of such tenement house to be kept clean  
3 and free from any accumulation of dirt, filth and garbage  
4 or other refuse matter in or on the same, or in the cellars,  
5 halls, passages, rooms, areas, yards, courts, and spaces  
6 appurtenant thereto. Such owner shall thoroughly cleanse  
7 every portion of such tenement house whenever ordered  
8 so to do by the board of health.

*Walls of Courts.*

1 SECTION 90. The walls of all courts, unless built of a  
2 light color brick or stone, shall be thoroughly whitened by

3 the owner or shall be painted a light color by him, and shall  
4 be so maintained. Such whitening or paint shall be re-  
5 newed whenever necessary as may be required by the board  
6 of health.

*Walls and Ceilings of Rooms.*

1 SECTION 91. In all tenement houses, the board of  
2 health may require the walls and ceilings of every room  
3 that does not open directly on the street to be whitened or  
4 painted with white paint when necessary to improve the  
5 lighting of such room and may require this to be renewed  
6 as may be necessary.

*Wall Paper.*

1 SECTION 92. No wall paper shall be placed upon a wall  
2 or ceiling of any tenement house unless all wall paper shall  
3 be first removed therefrom and said wall and ceiling thor-  
4 oughly cleaned.

*Receptacles for Ashes, Garbage and Rubbish.*

1 SECTION 93. The owner of every tenement house shall  
2 provide and maintain for said building proper and suitable  
3 covered water-tight receptacles for ashes, rubbish, garbage,  
4 refuse and other matter.

*Prohibited Uses.*

1 SECTION 94. No swine shall be kept in a tenement  
2 house, or on the same lot thereof. No horse, cow, calf,  
3 sheep, goat or fowl shall be kept in a tenement house, or  
4 on the same lot thereof within twenty-five feet of said  
5 tenement house. No tenement house, or the lot thereof,  
6 shall be used for the storage or handling of rags, nor as a  
7 place of public assemblage.

*Combustible Materials.*

1 SECTION 95. No tenement house nor any part thereof,  
2 nor of the lot upon which it is situated, shall be used as a  
3 place of storage, keeping or handling of any article danger-  
4 ous or detrimental to life or health, nor for the storage,  
5 keeping or handling of feed, hay, straw, excelsior, cotton,  
6 paper stock, feathers, rags or other easily combustible  
7 articles.

*Bakeries and Fat Boiling.*

1 SECTION 96. No bakery and no place of business in  
2 which fat is boiled shall be maintained in any tenement  
3 house.

*Other Dangerous Businesses.*

1 SECTION 97. There shall be no transom, window or door  
2 opening into a hall from any portion of a tenement house  
3 where paint, oil, spirituous liquors or drugs are stored for  
4 the purpose of sale or otherwise.

*Janitor or Housekeeper.*

1 SECTION 98. In any tenement house in which the  
2 owner thereof does not reside, there shall be a janitor,  
3 housekeeper or other responsible person who shall reside  
4 in said house and have charge of the same, if the board of  
5 health shall so require.

*Overcrowding.*

1 SECTION 99. If a room in a tenement house is over-  
2 crowded, the board of health may order the number of  
3 persons sleeping or living in said room to be so reduced  
4 that there shall not be less than four hundred cubic feet  
5 of air to each adult, and three hundred cubic feet of air to  
6 each child under twelve years of age occupying such room.

*Repairs to Buildings, etc.*

1 SECTION 100. Whenever any tenement house or build-  
2 ing, structure, excavation, business pursuit, matter or  
3 thing, in or about a tenement house, or the lot on which  
4 it is situated, or the plumbing, sewerage, drainage, light  
5 or ventilation thereof, is in the opinion of the board of  
6 health in a condition or in effect dangerous or detrimental  
7 to life or health, the board may declare that the same, to  
8 the extent it may specify, is a public nuisance, and may  
9 order the same to be removed, abated, suspended, altered or  
10 otherwise improved or purified, as the order shall specify.  
11 The board shall also order or cause any tenement house or  
12 part thereof, or any excavation, building, structure, sewer,  
13 plumbing, pipe, passage, premises, ground, matter or thing,  
14 in or about a tenement house, or the lot on which it is  
15 situated, to be purified, cleansed, disinfected, removed,  
16 altered, repaired, or improved. If any order of the board  
17 is not complied with, within ten days after the service  
18 thereof, or within such shorter time as the board may  
19 designate, then such order may be executed by said board  
20 through its officers, agents, employees or contractors.

*Infected and Unhabitable Houses to be vacated.*

1 SECTION 101. Whenever it shall be certified by an in-  
2 spector or officer of the board of health that a tenement  
3 house, or any part thereof, is infected with contagious  
4 disease, or that it is unfit for human habitation, or danger-  
5 ous to life or health by reason of want of repair, or of  
6 defects in the drainage, plumbing, ventilation, or the con-  
7 struction of the same, or by reason of the existence on the  
8 premises of a nuisance likely to cause sickness among the  
9 occupants of said house, the board may issue an order  
10 requiring all persons therein to vacate such house, or part

11 thereof, within not less than twenty-four hours nor more  
12 than ten days, for the reasons to be mentioned in said  
13 order. In case such order is not complied with within the  
14 time specified, the board may cause said tenement house  
15 or part thereof to be vacated. The board whenever it is  
16 satisfied that the danger from said house or part thereof  
17 has ceased to exist, or that it is fit for human habitation,  
18 may revoke said order, or may extend the time within which  
19 to comply with the same.

*Fire-escapes.*

1 SECTION 102. The owner of every tenement house shall  
2 keep all the fire-escapes thereon in good order and repair,  
3 and whenever rusty shall have them properly painted with  
4 two coats of paint. No person shall at any time place any  
5 incumbrance of any kind before or upon any such fire-  
6 escape.

*Scuttles, Bulkheads, Ladders and Stairs.*

1 SECTION 103. All scuttles and bulkheads and all stairs  
2 or ladders leading thereto shall be easily accessible to all  
3 tenants of the building, and kept free from incumbrance,  
4 and ready for use at all times. No scuttle and no bulk-  
5 head door shall at any time be locked with a key, but either  
6 may be fastened on the inside by movable bolts or hooks.

CHAPTER VI.

REQUIREMENTS AND REMEDIES.

1 SECTION 110. In a town which accepts the provisions  
2 of this act, the selectmen shall annually appoint an in-  
3 spector of buildings.

*Permit to commence Building.*

1 SECTION 111. Before the construction or alteration of  
2 a tenement house, or the alteration or conversion of a

3 building for use as a tenement house, is commenced, and  
4 before the construction or alteration of any building or  
5 structure on the same lot with a tenement house, the owner  
6 shall submit to the board of health and to the building  
7 inspector separately a detailed statement in writing, veri-  
8 fied by the affidavit of the person making the same, of the  
9 specifications for such tenement house or building, upon  
10 blanks or forms to be furnished by such departments, and  
11 also full and complete copies of the plans of such work.  
12 Such statement shall give in full the name and residence  
13 by street and number, of the owner or owners of such tene-  
14 ment house or building. If such construction, alteration  
15 or conversion is proposed to be made by any other person  
16 than the owner of the land in fee, such statement shall  
17 contain the full name and residence, by street and number,  
18 not only of the owner of the land, but of every person inter-  
19 ested in such tenement house, either as owner, lessee or in  
20 any representative capacity. Said affidavit shall allege  
21 that said specifications and plans are true and contain a  
22 correct description of such tenement house, building, struc-  
23 ture, lot and proposed work. The statements and affidavit  
24 herein provided for may be made by the owner, or the per-  
25 son who proposes to make the construction, alteration or  
26 conversion, or by his agent. No person, however, shall be  
27 recognized as the agent of the owner, unless he shall file  
28 with the town clerk a written instrument, signed by such  
29 owner, designating him as such agent. Any false swearing  
30 in a material point in any such affidavit shall be deemed  
31 perjury. Such specifications, plans and statements shall  
32 be filed in the office of the town clerk and shall be public  
33 records, but no such specifications, plans or statements  
34 shall be removed from such office. The board of health  
35 and the building inspector shall cause all such plans and  
36 specifications to be examined.

37 If such plans and specifications conform to the provisions  
38 of law they shall be approved by the building inspector  
39 and a written certificate to that effect shall be issued by him  
40 to the person submitting the same and he may from time to  
41 time approve changes in any plans and specifications,  
42 provided the plans and specifications as altered are in con-  
43 formity with law, but the building inspector shall not ap-  
44 prove any plans or specifications or any changes in the same  
45 until the board of health has certified that the said plans and  
46 specifications conform to the law relative to light, ventilation  
47 and sanitation. The construction, alteration or conversion  
48 of such tenement house, building or structure or any part  
49 thereof, shall not be commenced until the filing of such  
50 specifications, plans and statements, and the approval  
51 thereof, as above provided. The construction, alteration or  
52 conversion of such house, building or structure, shall be in  
53 accordance with such approved specifications and plans.  
54 Any permit or approval which may be issued by the building  
55 inspector but under which no work has been done above the  
56 foundation walls within one year from the time of the issuance  
57 of such permit or approval, shall expire by limitation. Said  
58 inspector shall have power to revoke or cancel any permit  
59 or approval in case of any failure or neglect to comply  
60 with any of the provisions of this act, or in case any false  
61 statement or representation is made in any specifications,  
62 plans or statements submitted or filed for such permit or  
63 approval.

*Certificate of Compliance.*

1 SECTION 112. No building hereafter constructed as or  
2 altered into a tenement house shall be occupied in whole  
3 or in part for human habitation until the issuance of a  
4 certificate by the building inspector that said building  
5 conforms in all respects to the requirements of law, and  
6 the building inspector shall not issue said certificate until

7 the board of health certifies to him that said building  
8 conforms to all requirements of law relative to the light,  
9 ventilation and sanitation of tenement houses. Upon  
10 notice of the completion of the construction, alteration  
11 or conversion of a tenement house, it shall be the duty of  
12 the building inspector and of the board of health to in-  
13 spect said building forthwith, and the building inspector  
14 shall issue a certificate of compliance within five days  
15 after written application therefor, if said building at the  
16 date of such application shall be entitled thereto.

*Procedure and Penalties.*

1 SECTION 113. Any court having jurisdiction in equity  
2 or any justice thereof shall upon the application of any town  
3 by its attorney have jurisdiction in equity to restrain the  
4 construction, alteration, repair, maintenance, use, or occu-  
5 pation of a building or structure in violation of the pro-  
6 visions of this act and to order its removal or abatement as  
7 a nuisance, and to compel compliance with any of the  
8 provisions of this act.

1 SECTION 114. A building or structure which is erected,  
2 altered, maintained or used in violation of the provisions  
3 of this act shall be deemed a common nuisance without  
4 other proof thereof than proof of such unlawful construc-  
5 tion, maintenance or use and the building inspector may,  
6 and if said violation is of any section of this act relative  
7 to lights, ventilation and sanitation of said building, shall,  
8 if required in writing by the board of health, order the  
9 owner of said premises at his own expense to abate or re-  
10 move said nuisances within twenty-four hours or within  
11 such further time as it considers reasonable after notice  
12 to be served as provided in section one hundred and  
13 twenty-four and if the owner or occupant fails to comply

14 with such order the board may abate or remove said  
15 nuisance and all expenses incurred thereby shall be paid  
16 by the person who caused or permitted the same.

1 SECTION 115. Whoever violates any provision of this  
2 act shall be punished by a fine of not less than ten dollars.  
3 Any person who violates any provision of this act, having  
4 been served with a notice or order as provided under section  
5 one hundred and twenty-four or fails to comply with such  
6 notice or order within ten days after such service or shall  
7 continue to violate any provision or requirement of this act  
8 in the respect named in said notice or order shall be subject  
9 to an additional fine of not less than five dollars and not  
10 more than twenty dollars for each day after the first that  
11 the violation shall continue.

1 SECTION 116. Any person, the value of whose property  
2 may be affected by any action of the board of health or the  
3 building inspector, may have the action of said board  
4 of health or said building inspector reviewed by the su-  
5 perior court by any appropriate process, provided pro-  
6 ceedings are instituted within ten days after such decision.

1 SECTION 117. Any person having any duty to perform  
2 in regard to any building or premises under the provisions  
3 of this act may, if necessary for the performance of said  
4 duties, enter any building or premises.

*Liens.*

1 SECTION 118. Every fine imposed by judgment under  
2 section one hundred and seventeen of this act upon a tene-  
3 ment house owner shall be a lien upon the house in relation  
4 to which the fine is imposed from the time of the filing of a  
5 certified copy of said judgment in the office of the register

6 of deeds for the county or district in which said tenement  
7 house is situated, subject only to taxes, assessments and  
8 water rates and other existing lawful incumbrances and  
9 it shall be the duty of the board of health and the building  
10 inspector upon the entry of said judgment, to forthwith file  
11 the copy as aforesaid, and such copy, upon such filing, shall  
12 be forthwith indexed by the clerk in an index of municipal  
13 liens.

*Lis Pendens.*

1 SECTION 119. In any action or proceeding instituted  
2 by the departments charged with the enforcement of this  
3 act, the plaintiff or petitioner may file in the office of the  
4 register of deeds for the county where the property affected  
5 by such action or proceeding is situated, a notice of the  
6 pendency of such action or proceeding. Each register of  
7 deeds with whom such notice is filed shall record it, and  
8 shall index it to the name of each person against whom  
9 said proceeding is instituted. Any such notice may be  
10 vacated upon the order of a judge or justice of the court  
11 in which such action or proceeding was instituted or is  
12 pending. The register of deeds of the county or the dis-  
13 trict where such notice is filed is hereby directed to mark  
14 such notice and any record or docket thereof as cancelled  
15 of record, upon the presentation and filing of a certified  
16 copy of such order.

*Registry of Owner's Name.*

1 SECTION 120. The owner of a tenement house and every  
2 lessee of the whole house or of two or more tenements  
3 therein or the agent of the owner or other person having  
4 control of a tenement house, shall annually during the month  
5 of April file in the office of the town clerk a notice containing  
6 his name and address, and also a description of the prop-  
7 erty, by street number or otherwise, as the case may be,

8 in such manner as will enable the board of health and build-  
9 ing inspector easily to find the same; and also the number  
10 of apartments in each house, the number of rooms in each  
11 apartment, and the number of families occupying the  
12 apartments. Such notice shall contain the name and address  
13 of some agent of such house, for the purpose of receiving  
14 service of process and notices to and service of process upon  
15 such agent shall bind the principal.

*Service of Notices and Orders.*

1 SECTION 121. Every notice or order in relation to a  
2 tenement house shall be served ten days before the time  
3 for doing the thing in relation to which it shall have been  
4 issued. The service of notice or orders as aforesaid shall  
5 be made by the delivery of an attested copy in hand to the  
6 owner or his agent, duly registered as provided in section  
7 one hundred and twenty-three or by leaving an attested  
8 copy at the last or usual place of abode of said owner or  
9 agent or if the owner is a non-resident and has no agent  
10 duly appointed, as provided in section one hundred and  
11 twenty-three it shall be posted in a conspicuous place in  
12 said tenement house and a copy thereof mailed by a regis-  
13 tered letter on the same day that it is posted, to the owner  
14 or his agent at the residence designated in the notice pro-  
15 vided for under sections one hundred and twenty-two and  
16 one hundred and twenty-three.

*Service of Summons.*

1 SECTION 122. In any action brought by any town offi-  
2 cial in relation to a tenement house for injunction, vaca-  
3 tion of the premises or other abatement of nuisance, or to  
4 establish a lien thereon, service of process shall be in the  
5 manner provided in the preceding section, excepting that  
6 the service of process shall be made only by a sheriff or one  
7 of his deputies or by a constable.

*Indexing Names.*

1 SECTION 123. The names and addresses filed in accord-  
2 ance with sections one hundred and twenty-two and one  
3 hundred and twenty-three shall be indexed by the town  
4 clerk in such a manner that all of those filed in relation to  
5 each tenement house shall be together, and readily ascer-  
6 tainable. The town clerk shall provide the necessary  
7 books and clerical assistance for that purpose, and the  
8 expense thereof shall be paid by the town. Said indexes  
9 shall be public records, open to public inspection during  
10 business hours.

*Laws repealed.*

1 SECTION 124. All statutes of the state and all local ordi-  
2 nances so far as inconsistent with the provisions of this act  
3 are hereby repealed.

*When to take Effect.*

1 SECTION 125. This act shall take effect in any town  
2 upon its acceptance by vote of the town at the annual  
3 town meeting or at a legal meeting called for the purpose;  
4 and for the purpose of being submitted to the voters, as  
5 aforesaid, this act shall take effect upon its passage.





