

MEDFORD BOARD OF HEALTH

Regulation 12: Construction, Renovation and Conversion Requirements

Under the authority of M.G.L. Chapter 111 Section 31 and Section 128A and 105 CMR 410.550 Minimum Standard of Fitness for Human Habitation: State Sanitary Code Chapter II, the Medford Board of Health has promulgated this regulation in an effort to protect the health and safety of the Medford community. This is specifically to prevent unsanitary conditions and rodent harborage.

A. Purpose

The purpose of this regulation is to legally empower the Medford Board of Health to enforce requirements including and in addition to existing State and Federal laws and regulations for construction projects. These regulations and laws are adopted by the Medford Board of Health in an effort to protect the health and safety of the Medford community.

B. Requirements

Contractors

Prior to construction, renovation and conversion a contractor requires a sign-off from the Medford Board of Health. To obtain this signature certain requirements must be fulfilled. Those include:

- 1) Proof of a Certified Pest control specialist has treated and baited and inspected the area and provided evidence that the premises are free from insects and rodents;
- 2) Application for Temporary Dumpster Permits have been obtained from the Board of Health, if the dumpster is on private property or the Department of Public works and the Board of Health, if it is on City of Medford property.

Homeowners

Under 105 CMR 410.550 Minimum Standard of Fitness for Human Habitation: State Sanitary Code Chapter II, extermination of insects, rodents and skunks is the responsibility of the homeowner. Prior to construction, renovation and conversion, a homeowner requires a sign-off from the Medford Board of Health. To obtain this signature certain requirements must be fulfilled. Those include:

- 1) Proof of a Certified Pest control specialist has treated and baited and inspected the area and provided evidence that the premises are free from insects and rodents;
- 2) Application for Temporary Dumpster Permits have been obtained from the Board of Health, if the dumpster is on private property or the Department of Public works and the Board of Health, if it is on City of Medford property.

Upon completion of the above and proof being submitted to the Medford Board of Health, the Director or her agent may sign off on the permit for demolition.

Acceptable Extermination and Pest Control Requirements

410.550 (D) Extermination shall be accomplished by eliminating the harborage places of insects and rodents, by removing or making inaccessible materials that may serve as their food or breeding ground by poisoning, spraying, fumigating, trapping or by any other recognized and legal pest elimination method. All use of pesticides within the interior of a dwelling, dwelling unit, rooming house, or mobile home shall be in accordance with applicable laws and regulations of the Department of Food and Agriculture's Pesticide Board, including those appearing at 333 CMR 13.00, which provide, among other things, that pesticide applicators or their employers must give at least 48 hours pre-notification to occupants of all residential units prior to any routine commercial application of pesticides for the control of indoor household or structural indoor pests.

All contracts for rodent extermination must describe the corrective measures. At a minimum, the corrective measures shall include baiting before, during and at the conclusion of the construction activity. All contracts will be reviewed by the Board of Health Director or Agents and may require changes in the Pest Control contract if, in the Board of Health opinion, based on the nature of the activity and the extent of infestation that the corrective measures are insufficient. The permit applicant shall be held responsible for corrective measures if the construction activity creates or intensifies rodent infestation to the immediate abutters.

Unlicensed Operation

Any person who does construction, renovation and conversion without observing these regulations will be in violation of the Medford Board of Health regulation.

Failure to Comply with Orders

590.051 (B) (1) These regulations may be enforced by the Medford Board of Health through Ticket Enforcement under M.G.L. c. 40 s 21D:

Fine Schedule:

First offense, fifty dollars (\$50.00);

Second offense, one hundred dollars (\$100.00)

Third and subsequent offenses, two hundred dollars (\$200.00)

Each day that the offense continues shall constitute a separate offense.

Adopted: November 13, 2001

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