



Town of Randolph, Massachusetts

Board of Health

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Mark Kittredge, Chair
Tomas Fisher, V. Chair
Dr. David Kaplan, CHO, RS, Member

Priscilla MacDougall, Clerk
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REGULATIONS OF THE BOARD OF HEALTH

ARTICLE I. IN GENERAL

1.0 Definitions:

BOARD OF HEALTH: means the legally constituted Board of Health of the Town of Randolph, Massachusetts, or its agents.

OPERATOR: means the person in control of a particular establishment.

PERSON: means any person, company, corporation, trust, or any other entity.

SMOKING: means the lighting or having the possession of any lighted cigarette, cigar, pipe or other tobacco product.

Section

Sec. 1.1 AUTHORITY:

Under the authority Chapter 111: Section 31 Health regulations; summary publication; hearings; filing sanitary codes and related rules, etc. Local Boards of health hereby may make any reasonable health regulations in regards to public health matters

State law references—Public Health, generally, G.L. c. 111. State Sanitary Code: adoption, enforcement and jurisdiction, G.L. c 111, Sec. 127A; State Sanitary Code, 105 CMR 410, et seq. Crimes against public health, G.L. c. 270. Solid waste disposal, G.L. c. 16, Sec. 18.

1.2 The Sanitary Codes and Environmental Codes of the Commonwealth are hereby adopted in its entirety with additions as adopted by the Board of Health if noted.

(A) Sanitary Code: General Application and Administration.

105 CMR 400, Chapter I of the State Sanitary Code

105 CMR 410 Minimum Standards of Fitness for Human Habitation.

105 CMR 420 Housing and Sanitation Standards for Farm Labor Camps.

105 CMR 430 Sanitation Standards for Recreational Camps for Children.

105 CMR 435 Minimum Standards for Swimming Pools.

105 CMR 440 Minimum Standards for Developed Family Type Camp Grounds.

105 CMR 445 Minimum Standards for Bathing Beaches.

105 CMR 480 Storage Disposal Infectious Waste.

105 CMR 520 Labeling.

105 CMR 500 Good Manufacturing Foods

105 CMR 590 Minimum Sanitation Standards for Food Service Establishments.

105 CMR 561 Frozen Dessert and Soft serve

105 CMR 123 Tanning Facilities.

MGL chapter 270, section 22 Massachusetts Smoke-free Workplace Law

105 CMR 460.000 Lead Poisoning Prevention and Control Regulations

105 CMR 675.000 Requirements To Maintain Air Quality In Indoor Skating Rinks

310 CMR 19.000: Solid Waste Management

105 CMR 480.000 Storage and Disposal of Infectious Waste

(B) Environmental Codes:

310 CMR 15 Title 5 - Standard Requirements for Disposal of Septage.

The Massachusetts Hazardous Waste Management Act, Chapter 21C

310 CMR 30.000, Massachusetts Hazardous Waste Regulations

310 CMR 40.000 Massachusetts Contingency Plan

310 CMR 7.06-7.24 Air Pollution Noise Control Regs

(C) Local Health Regulations:

Smoking Regulations (repealed for state regulations 2004)

Rubbish and Trash adopted 2002

Body Piercing Art Regulations adopted November 2000

Smoking Regulations Distribution of Tobacco Product adopted 1999

Private Well Regulations adopted 1995

Pool Regulations adopted 1988

Dumpster Regulations adopted 1987

Massage Regulations, Vapor Pools and Baths adopted 1973

Regulations Body Art Establishment and Practitioners (revised) 2006

Regulation for the use of rDNA Molecule Technology and Infectious Agents 2006

1.3 Violation - Penalty.

1.4 Criminal Disposition

Whoever violates any provision of these Regulations may be prosecuted in a court of competent jurisdiction.

1.5 Non-Criminal disposition.

Violation of any of the regulations of the Board of Health may be enforced by non-criminal disposition in the manner provided by General Laws, Chapter 40, Section 21D and Section 1-4A (“Non-Criminal Disposition”) of the Town of Randolph Bylaws. This does not limit the Town in any way from seeking criminal or civil remedies at a court of competent jurisdiction. The specific non-criminal disposition penalty which shall apply to a violation of these Board of Health regulations shall, unless specifically provided otherwise in these regulations, be as follows:

First offense within a twelve-month period	\$ 25.00
Second offense within a twelve-month period	\$ 50.00
Third and subsequent offenses within a twelve-month period	\$ 100.00

Each day any violation shall continue shall constitute a separate offense.

State law reference—G.L. c. 40, sec 21D.

Enforcing Persons: **Board of Health and its designees.**

1.5 (a) Non-Criminal disposition penalty for violation of Sanitary Code.

The non-criminal disposition penalty which shall apply to a violation of these Board of Health regulations shall be twenty-five (\$25) dollars, except that any violation defined as a “critical violation” in Chapter 10 of the State Sanitary Code “Minimum Sanitation Standards for Food Establishments,” as adopted by Board of Health pursuant to this Section, shall be as follows:

First offense within a twelve month period	\$100
Second offense within a twelve month period	\$ 25
Third and subsequent offenses within a twelve month period	\$ 25

Each day any violation shall continue shall constitute a separate offense.

State law reference—G.L. c. 40, sec. 21D.

Cross reference—1-4A.

1.5(b) Non-Criminal disposition penalty for Smoking in a Workplace.

The non-criminal disposition penalty which shall apply to a violation of these Board of Health regulations shall be twenty-five (\$25) dollars, except that any violation defined as “MGL chapter 270, section 22 ,Massachusetts Smoke-free Workplace Law” and “Distribution of Tobacco Product” as adopted by Board of Health pursuant to this Section, shall be as follows:

First offense within a twelve month period	\$100
Second offense within a within 1 years of first offense	\$ 200
Third and subsequent offenses within 1 years of first offense	\$ 300

Each violation shall constitute a separate offense.

State law reference—G.L. c. 40, sec. 21D.

Approved Date:_____

This regulation shall take effect December14, 2004

Signed by Board of Health

Mark Kittredge, Chairman

Thomas Fisher, Vice Chair

Dr. David Kaplan , CHO, RS, Member

