

Town of Charlemont  
Board of Health  
TEMPORARY OCCUPANCY REGULATIONS

**SECTION I: Authority:**

This Board of Health regulation is adopted pursuant to MGL Ch. 111, S. 31 and 105 CMR 410.020 of the Massachusetts Department of Public Housing Code.

**SECTION II: Purpose:**

The purpose of this regulation is to promote the health, safety, and general welfare of the residents of the Town of Charlemont. It also allows the Board of Health to enforce 105 CMR 410.430; which states "No temporary housing may be used, except with the written permission of the board of health."

**SECTION III: Conflict:**

This regulation shall be construed to repeal and supersede any provisions which are currently in effect that are in conflict with this regulation.

**SECTION IV: Definitions**

- Property Owner: The owner(s) of record with the Registry of Deeds of any lot or parcel of the land. For the purposes of this regulation, multiple owners are considered one property owner.
- Temporary Dwellings: campers/trailers (park models, tow behind fifth-wheel, or motorhome), platform tents, or any other dwelling that is used for temporary housing and is not located in a licensed campground or trailer park.
- Temporary Occupancy Permit: Permit issued by the Town of Charlemont through the Board of Health pursuant to the Charlemont Board of Health Regulations. Permits are for one or two years. A permit allows for occupancy for 60 days during a calendar year and no more than fourteen consecutive days.
- Visiting Camper/Trailer: A state-registered camper/trailer not owned by the property owner, but which is located on the lot or parcel of a Charlemont property owner.

**SECTION V: Requirements:**

1. All temporary dwellings must meet the requirements set forth in the Town of Charlemont Board of Health Regulations, Charlemont's Zoning Bylaws, and meet all state health sanitary codes. A Temporary Occupancy Permit will be issued by the Charlemont Board of Health.

2. A visiting Camper/trailer not owned by the property owner and which is state-registered, is allowed to be used as temporary occupancy without a Temporary Occupancy Permit and cannot remain on the land for more than 30 days per calendar year.
3. Issuance of a Temporary Occupancy Permit is conditional upon meeting the requirements of all Massachusetts safety and health codes. By applying for a permit you agree to be subject to inspection by the Board of Health.
4. Temporary dwellings without a Temporary Occupancy Permit that are stored outside for more than two years after the owners have received written notice, will be considered abandoned or not used. The Charlemont Board of Health has the right to condemn and/or order the removal and disposal if they pose a health or safety hazard, at the property owner's expense.
5. No temporary dwellings shall be connected to a subsurface disposal system, well, or pressurized water except in a licensed campground, or as allowed by paragraph 7, below.
6. The permit is not valid for commercial uses.
7. In the case of a fire, natural disaster, or the construction of a new house a camper may be used. It must be winterized and meet the spirit and intent of 105 CMR 410. It may be hooked up to a septic or town sewer and a residential well.

#### **SECTION VI: VIOLATIONS:**

The Board of Health shall institute or cause to institute any and all legal actions, including but not limited to the non-criminal disposition system that may be necessary for the enforcement of this Regulation.

#### **SECTION VII Effective date:**

Approved on March 28, 2018