

DEED RESTRICTIONS FOR IN-LAW DWELLINGS:

STEP 1:

- After the ZBA holds the public hearing for the variance and the Variance is approved, you need to bring or email a copy of the deed to your home to the Zoning Department along with a check payable to the Town of North Attleboro in the amount of **\$100.00** for the generation of the required “in-law certificate”.
- The Zoning Department will file the decision with the Town Clerk (*Usually Within 7-10 Days*). There is a twenty (20) day appeal period from the date in which the decision is “filed” with The Town Clerk (the date shown on the Clerk’s Stamp).
- When the twenty-day appeal period is over, the Town Clerk signs the last page of the decision, attesting that there have been no appeals filed.
- The Clerk’s Office will then mail the original decision AND “in-law certificate” directly to the applicant. Please note that the **In-Law Certificate must be notarized** as indicated on the last page of the Certificate.

STEP 2:

- Next, the **Notarized In-Law Certificate AND the Clerk’s endorsed ZBA Decision must be recorded at the Registry of Deeds** (there is an office in Attleboro). Please retain a “signed” copy of each document along with the registry receipt. (*Note: the ZBA Decision No. must be shown on the receipt for verification and return a copy (or email) of the recording to the ZBA office for our files.*)

STEP 3:

- Copies of both signed documents (*ZBA Decision & In-Law Certificate*) as well as the Registry Receipt, **must** accompany the building permit application at the time of submission (*please do not submit the recorded documents beforehand*).
- Applications for In-Law Dwellings **will not** be accepted without this required documentation.



ZBA STANDARD CONDITIONS FOR AN IN-LAW:

At the Boards discretion, these are typically the standard conditions for an In-law application:

1. A deed restriction, in the form of a certificate, shall be comprised by the Town and filed at the Registry of Deeds, prior to the granting of an occupancy permit, which states that the property may only be used & sold as a single-family home. Said certificate and filing fees shall be paid by the applicant.
2. The occupants of the in-law apartment shall be immediate family members of the homeowner.
3. The home maintains the appearance of a single-family residence while allowing for a separate living area for close family.

DEFINITION of Immediate Family:

Mass. General Laws c.140 § 121

“Family or household member”, a person who: (i) is or was married to the respondent; (ii) is or was residing with the respondent in the same household; (iii) is or was related by blood or marriage to the respondent; (iv) has or is having a child in common with the respondent, regardless of whether they have ever married or lived together; (v) is or has been in a substantive dating relationship with the respondent; or (vi) is or has been engaged to the respondent.

