



Measure #: 2024-084

TOWN COUNCIL MEASURE SUBMITTAL

Date: 3/25/2024

Submitted By: Town Manager

Telephone #: 508-699-0100

MEASURE DESCRIPTION:

Authorization to adopt new General Bylaw: Congregate Living Properties- Boarding/Lodging/Rooming Homes, Group Homes, Sober Homes, and Halfway/Recovery Houses.

Signed:

Michael Borg

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Date: 2024.04.18 12:31:24 -0400
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PURPOSE AND JUSTIFICATION:

Authorization to adopt new General Bylaw:

"Congregate Living Properties"- Boarding/Lodging/Rooming Homes, Group Homes, Sober Homes, and Halfway/Recovery Houses;

See attached.

SPECIAL REQUIREMENTS:

ATTACHMENTS: Proposal for New Bylaw

REFER TO SUB-COMMITTEE: Bylaw

Authorization to adopt new General Bylaw:

"Congregate Living Properties"- Boarding/Lodging/Rooming Homes, Group Homes, Sober Homes, and Halfway/Recovery Houses;

Definitions:

1. **Boarding / Lodging / Rooming House** – A building arranged or used for lodging for compensation, with or without meals. A building containing four or more boarding units. A one-family dwelling with five or fewer guest rooms where one or more occupants are primarily permanent in nature and compensation is provided for the guest rooms. A building licensed as a "lodging house in accordance with M.G.L. c. 140, §§ 22 through 31 shall comply with 780 CMR requirements according to its appropriate use and occupancy classification.

The following are subsets of Boarding / Lodging / Rooming Houses and fall under the auspices of this bylaw:

- a. **Boarding Unit** – A residence in which one or more rooms are let to and for the use by one, two or three individuals who are not within second degree of kindred of the person operating the Boarding/Lodging/Rooming House and not living as a single housekeeping unit and not having cooking facilities. A "Boarding Unit" shall include rooms in boarding houses, lodging houses, tourist homes. It shall not include convalescent, nursing or rest homes; dormitories or charitable, educational or philanthropic institutions; or apartments or hotels; or group homes licensed by the state.
- b. **Group home** - A facility for social rehabilitation, substance abuse or mental health problems that contains a group housing arrangement that provides custodial care but does not provide medical care. A residence that is appropriately licensed and typically funded fully or partially by a state or federal entity, for the accommodation and care of three to ten persons, exclusive of staff, living under supervision within a single housekeeping unit and who, by reason of their emotional, mental, social, or physical condition or legal status, require a group living arrangement for their well-being.
- c. **Sober home** – A residence that is operated pursuant to a program designed to provide drug and alcohol-free living conditions.

- d. **Halfway/Recovery Residence** – Residential treatment programs licensed by a state agency that provide intermediate care center in a community and provides temporary residential accommodation, guidance, supervision, and personal adjustment services for a group of three or more persons. These properties are not a person’s permanent residence.

2. For the purposes of this Bylaw any properties within the Town of North Attleborough being utilized as either a Boarding/Lodging/Rooming Home, as defined below, shall be required to register annually, by January 30th of the calendar year or within 90 days of acquisition or change of use for that calendar year, with the North Attleborough Building Department

3. These properties are additionally required to adhere to all other existing applicable Massachusetts General Laws, local, and federal regulations, including but not limited to the Massachusetts Building Code, Fire Code and State Sanitary Code.

4. The North Attleborough Building Department is hereby authorized to promulgate reasonable rules and regulations to carry out the purposes and intent of this Bylaw.

5. The North Attleborough Building Department shall enforce the terms of this Bylaw and of rules and regulations promulgated pursuant thereto.

6. Property owners who fail to comply with the provisions of this bylaw, shall be fined at a rate of \$500.00 for failure to register and \$150.00 per day, and each day of non-compliance shall constitute a separate violation.

7. Any property owner seeking to appeal pursuant to this Bylaw may file a notice of an appeal and request for a public hearing with the board appointed by the Town Manager within 10 days of receipt of said Order.