

HOUSE No. 2780

The Commonwealth of Massachusetts

PRESENTED BY:

Keiko M. Orrall and Michael J. Rodrigues

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act establishing the department of inspectional services and permitting in the town of Lakeville.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Keiko M. Orrall</i>	<i>12th Bristol</i>	<i>1/25/2017</i>
<i>Michael J. Rodrigues</i>	<i>First Bristol and Plymouth</i>	<i>1/25/2017</i>

HOUSE No. 2780

By Representative Orrall of Lakeville and Senator Rodrigues, a joint petition (accompanied by bill, House, No. 2780) of Keiko M. Orrall and Michael J. Rodrigues (by vote of the town) that the town of Lakeville be authorized to establish a department of inspectional services and permitting for said town . Municipalities and Regional Government. [Local Approval Received.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninetieth General Court
(2017-2018)**

An Act establishing the department of inspectional services and permitting in the town of Lakeville.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. (a) There is hereby established in the town of Lakeville a department of
2 inspectional services and permitting, which shall be responsible for the coordination and
3 management of the inspection and permitting-related activities of the town as assigned by this
4 act. The department of inspectional services and permitting shall be responsible for and shall
5 perform the following functions:

6 (1) coordination of all inspection and permitting functions carried out by an officer or
7 employee who falls within the scope of this act;

8 (2) maintenance in a central place of all records relating to inspections and
9 permitting;

10 (3) coordination of enforcement actions for violations of the General Laws, state
11 building code, local general and zoning bylaws, and rules or regulations which are subject to
12 enforcement by an officer or employee of the town who falls within the scope of this act;

13 (4) the rendering of advice, assistance and guidance to all town offices and agencies
14 in any matter relating to town inspection and permitting services;

15 (5) the rendering of advice, assistance and guidance to all members of the public
16 relating to town inspection and permitting services and the development of user friendly systems
17 for the convenience of the public; and

18 (6) any other functions expressly delegated by the board of selectmen, conservation
19 commission or board of health of the town of Lakeville, and agreed to be assumed by the director
20 of inspectional services and permitting.

21 (b) All inspection and permitting services performed by or under the authority of the
22 building inspector, board of health, inspector of gas piping and gas appliances, plumbing
23 inspector, electrical inspector, zoning enforcement officer, conservation commission, or any
24 other local inspection as may be authorized by vote of the board of selectmen shall be
25 coordinated through the department of inspectional services and permitting.

26 (c) The department of inspectional services and permitting shall be headed by a
27 director of inspectional services and permitting, who shall have the following specific powers
28 and duties:

29 (1) to establish a full and complete inventory of all inspection and permitting services
30 performed by any officer of the town that falls within the scope of this act;

31 (2) to establish common files, by property address or by reference to a map, block or
32 lot reference, or both such address or reference, which shall be accessible to all persons
33 performing inspection and permitting services for the town, containing recordings of all
34 inspections performed by any town officer or employee that falls within the scope of this act;

35 (3) to provide common services for all inspection and permitting related personnel
36 and a centralized location for members of the public to obtain information concerning inspection
37 and permitting services. The director of inspectional services and permitting shall also be
38 available to said members of the public in order to assist them in implementing this act;

39 (4) to serve as facilities manager for town buildings, unless a separate facilities
40 manager is designated by the board of selectmen;

41 (5) to supervise, direct and manage all personnel appointed or hired to perform the
42 inspection or permitting services that fall within the scope of this act; and

43 (6) to supervise, direct and manage all personnel appointed or hired to perform other,
44 permitting functions of the town of Lakeville, upon request of any board, committee or
45 commission with permitting authority, and subject to the approval of the board of selectmen and
46 agreement of the director of inspectional services and permitting.

47 (d) The director of inspectional services and permitting may also serve as the building
48 commissioner or inspector, or zoning enforcement officer, or both, and if so designated by the
49 board of selectmen, the holding of these multiple positions shall be considered a single office in
50 the town.

51 SECTION 2. The board of selectmen of the town of Lakeville shall appoint and may
52 remove at their pleasure a director of inspectional services and permitting who shall be the
53 executive and administrative head of the department. The director shall possess all the necessary
54 qualifications, experience and certification required for an inspector of buildings or building
55 commissioner pursuant to section 3 of chapter 143 of the General Laws. Notwithstanding any
56 general or special law to the contrary, the board of selectmen of the town of Lakeville shall
57 also appoint and may remove at their pleasure any necessary gas, plumbing, or electrical
58 inspectors, who shall possess the necessary qualifications, experience and certification required
59 under the General Laws.

60 SECTION 3. The appointment of a director of inspectional services and permitting shall
61 satisfy the requirement of chapter 143 of the General Laws as to the appointment of an inspector
62 of buildings or building commissioner.

63 SECTION 4. Any officer, employee, committee, commission, board or department
64 performing inspection or permitting functions outside of the scope of this act shall continue to
65 perform said functions, unless the committee, commission, or board responsible for such
66 functions votes to delegate such functions to the department of inspectional services and
67 permitting, and such delegation is approved by the board of selectmen in consultation with the
68 director of inspectional services and permitting.

69 SECTION 5. All books, papers, documents, equipment, land and any other property
70 which is in the custody and control of any officer, employee, committee, commission, board or
71 department affected by this consolidation shall be transferred to the department of inspectional
72 services and permitting, as necessary. All contracts in force shall be continued in force until they

73 expire or are otherwise cancelled. Any judicial proceedings in which any officer, employee,
74 committee, commission, board or department affected by this consolidation is a party, shall not
75 be affected by the consolidation.

76 SECTION 6. Notwithstanding any general or special law to the contrary, the board of
77 selectmen of the town of Lakeville is hereby designated as the appointing authority for all
78 personnel necessary to implement, execute and enforce the health laws and board of health
79 regulations, including but not limited to the state sanitary code, and all personnel necessary to
80 implement, execute and enforce the wetlands protection act, any local wetlands protection bylaw,
81 and department of environmental protection and conservation commission regulations. The
82 board may fix the salary or other compensation of such personnel, subject to the provisions of
83 any applicable collective bargaining agreement. Nothing herein shall affect the obligations,
84 rights and responsibilities imposed pursuant to chapter 150E of the General Laws, insofar as
85 applicable.

86 SECTION 7. This act shall take effect upon its passage.