

**HOUSE . . . . . No. 2780**

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**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.