

City of Cambridge, Massachusetts

HEALTH REGULATIONS

Promulgated by the Commissioner of Health and Hospitals pursuant to General Laws, chapter 111, section 26E, and Chapter Eleven, section 11-2(m) of the General Ordinances of the City of Cambridge.

HEALTH REGULATIONS

TABLE OF CONTENTS

	<u>Page</u>
Article I	Definitions 1
Article II	Permits, Licenses and Fees 4
	Sec. 2.1 In General 4
	Sec. 2.2 Food Service Establishments 4
	Sec. 2.3 Funeral Directors 5
	Sec. 2.4 Slaughterhouses 5
	Sec. 2.5 Mobile Food Server 5
	Sec. 2.6 Catering Establishment 5
	Sec. 2.7 Refuse Disposal 5
	Sec. 2.8 Burial Permit 6
	Sec. 2.9 Motel, Recreational Camp, etc. .. 6
	Sec. 2.10 Manufacturing or Bottling of Beverages 7
	Sec. 2.11 Breaking and Canning of Eggs 7
	Sec. 2.12 Baths 7
	Sec. 2.13 Swimming or Wading Pool 7
	Sec. 2.14 Copies of Public Records 8
	Sec. 2.15 Vending Machines 8
Article III	Food Service Establishments 9
	Sec. 3.1 Mobile Food Server 9
Article IV	Refuse Disposal 10
	Sec. 4.1 Garbage Trucks 10
Article V	Penalties 11
	Sec. 5.1 11
Article IV	Effect of and Short Title of Regulations .. 12
	Sec. 6.1 Effect of Regulations 12

	Sec. 6.2	Short Title	12
	Sec. 6.3	Effective Date	12
Appendix		Schedule of Fees	13

ARTICLE I

DEFINITIONS

- Sec. 1.1 BAKERY - A building or part of a building wherein is carried on the production, preparation, packing, storing, display or sale of bread, cake, pies or other bakery products.
- Sec. 1.2 CATERING ESTABLISHMENT - The place at which food is prepared and from which said food is transported to be served at a party, banquet, or similar gathering at another location.
- Sec. 1.3 COMMERCIAL FOOD PROCESSING ESTABLISHMENT - An establishment in which food is processed or otherwise prepared and packaged for human consumption.
- Sec. 1.4 COMMISSARY - A catering establishment, restaurant, or any other place in which food, beverage, and ingredients are processed or prepared and from which vending machines are serviced.
- Sec. 1.5 COMMON VICTUALER - The keeper of a restaurant or public eating house, where the food sold is eaten on the premises.
- Sec. 1.6 COMMON VICTUALER SERVING ALCOHOLIC BEVERAGES - A common victualer who is licensed to serve alcoholic beverages pursuant to General Laws, chapter 138, section 12.
- Sec. 1.7 FOOD - All articles, whether simple, mixed or compound, used or intended to be used for food or drink, confectionery or condiment, by human beings, except milk and cream.
- Sec. 1.8 FOOD SERVICE ESTABLISHMENT - Any fixed or mobile place, structure or vehicle whether permanent, transient, or temporary, including any restaurant, coffee shop, soda fountain, tavern, bar, cocktail lounge, night club, roadside stand, industrial feeding establishment; private, public or non-profit organization or institution routinely serving the public; catering kitchen, commissary, or any other similar eating and drinking establishment or place in which food or drink is prepared for sale or for service on the premises or elsewhere, or where food is served or provided for the public with or without charge.

Sec. 1.20 SLAUGHTERHOUSE - Any building used for the business of slaughtering cattle, horses, mules, sheep, poultry, or other animals, or for a melting or rendering establishment.

Sec. 1.21 SWIMMING POOL - Every artificial pool of water having a depth of two feet or more at any point and used for swimming or bathing, located indoors or outdoors, together with the bathhouses, equipment, and appurtenances used in connection with the pool. It does not include any residential pool as herein defined nor does it include any pool used primarily for baptismal purposes or the healing arts.

Sec. 1.22 VENDING MACHINE - Any self-service device offered for public use which, upon insertion of a coin, coins, token, paper currency, or by other means, dispenses servings of food or beverage, either in bulk or in package.

Sec. 1.23 WADING POOL - A pool of water in a basin having a maximum depth of less than two feet intended chiefly as a wading place for children. It does not include any residential pool as herein defined.

- Sec. 1.9 FOOD WAREHOUSE AND DISTRIBUTOR - An establishment in which food is kept for distribution to retail food stores.
- Sec. 1.10 FUNERAL DIRECTOR - Any person engaged, or holding himself out as engaged, in the business, practice, or profession of funeral directing, as defined in General Laws, chapter 112, section 82.
- Sec. 1.11 GARBAGE - All solid or liquid waste materials, including, but not limited to, refuse, rubbish, sludge and residual waste, but not including sewage.
- Sec. 1.12 HEALTH DEPARTMENT - The Health Department of the City of Cambridge.
- Sec. 1.13 MOBILE FOOD SERVER - Every mobile stand, wagon, truck, or other vehicle which moves from place to place to operate, dispensing coffee, sandwiches, box lunches, ice cream, popcorn, or other similar foods.
- Sec. 1.14 MOTEL - Any building or group of buildings which provide sleeping accommodations for transient motorists and which is not licensed as an inn.
- Sec. 1.15 PACKAGE STORE - A store which is licensed to sell alcoholic beverages not to be drunk on the premises, pursuant to General Laws, chapter 138, section 15.
- Sec. 1.16 REFUSE - All solid or liquid waste materials, including garbage and rubbish, sludge and residual waste, but not including sewage.
- Sec. 1.17 REFUSE FACILITY - A sanitary landfill, a refuse transfer station, a refuse incinerator with a grate area in excess of ten square feet, a refuse composting plant, a residual waste storage or treatment plant, a dumping ground for refuse, or any other works for treating or disposing of refuse.
- Sec. 1.18 RESIDENTIAL POOL - A swimming or wading pool established or maintained by an individual for his own or family's use, or for the use of personal guests of his household.
- Sec. 1.19 RETAIL FOOD STORE - Any store in which food is sold at retail.

ARTICLE II

PERMITS, LICENSES AND FEES

Sec. 2.1 IN GENERAL

The permits and licenses required in this ARTICLE II will be valid for the period April 1 through March 31 or any unexpired part thereof; provided that the license for Funeral Directors required by sec. 2.3 will be valid for the period May 1 through April 30 or any unexpired part thereof, and the license for Motels, Recreational Camps, etc. required by sec. 2.9 will be valid for the period January 1 through December 31 or any unexpired part thereof.

Sec. 2.2 FOOD SERVICE ESTABLISHMENTS

No person shall operate a food service establishment unless he is the holder of a valid permit granted to him by the Health Department, as required by the State Sanitary Code, Article X, 105 CMR, sec. 595.032. For the purpose of these regulations, the following are considered to be food service establishments:

- (a) Common victualer.
- (b) Common victualer serving alcoholic beverages.
- (c) Mobile food server.
- (d) Catering establishment.
- (e) Commissary.
- (f) Commercial food processing establishment.
- (g) Food warehouse and distributor.
- (h) Retail food store.
- (i) Package store.
- (j) Bakery.

Sec. 2.3 FUNERAL DIRECTORS

No person shall act as a funeral director in Cambridge unless he is the holder of a valid license granted to him by the Health Department, as required by General Laws, chapter 114, section 49.

Sec. 2.4 SLAUGHTERHOUSES

No person shall operate a slaughter house in Cambridge unless he is the holder of a valid permit granted to him by the Health Department, as required by General Laws, chapter 111, section 151.

Sec. 2.5 MOBILE FOOD SERVER

No person shall operate a mobile food server in Cambridge unless he is the holder of a valid permit granted to him by the Health Department, as required by the State Sanitary Code, Article X, 105 CMR, sec. 595.022.

Sec. 2.6 CATERING ESTABLISHMENT

No person shall operate a catering establishment in Cambridge unless he is the holder of a valid permit granted to him by the Health Department, as required by the State Sanitary Code, Article X, 105 CMR, sec. 595.021.

Sec. 2.7 REFUSE DISPOSAL

(a) Transportation of garbage. No person shall remove or transport garbage through the streets of Cambridge without first obtaining a valid permit from the Health Department, as required by General Laws, chapter 111, section 31A.

However, any person may, without such a permit, transport garbage through the streets of Cambridge, if said garbage was not collected in Cambridge; provided that he registers with the Health Department and transports said garbage in accordance with its rules and regulations.

(b) Site assignment. No place in Cambridge, shall be established or maintained or operated by any person, including any political subdivision of the Commonwealth, but not including an agency of the Commonwealth, as a site for a refuse facility, unless such place has been assigned by the Health Department as a site for a facility, in accordance with General Laws, chapter 111, section 150A.

Sec. 2.8 BURIAL PERMIT

No funeral director, undertaker, or other person or corporation shall bury, cremate or otherwise dispose of a human body in Cambridge, or remove therefrom a human body which has not been buried or cremated, until he has received a permit from the Health Department or its agent appointed to issue such permits, as required by General Laws, chapter 114, sections 44 and 45,

Sec. 2.9 MOTEL, RECREATIONAL CAMP, ETC.

No person shall operate, directly or indirectly, any motel, recreational camp, overnight camp or cabin, or mobile home park in Cambridge, unless he is the holder of a valid license granted to him by the Health Department, as required by General Laws, chapter 140, sections 32A and 32B.

Sec. 2.10 MANUFACTURING OR BOTTLING OF BEVERAGES

No person shall engage in Cambridge in the business of manufacturing or bottling carbonated non-alcoholic beverages, soda waters, mineral or spring waters without a permit from the Health Department, as required by General Laws, chapter 94, section 10A.

Sec. 2.11 BREAKING AND CANNING OF EGGS

No person shall carry on an establishment for the breaking and canning of eggs in Cambridge without a license from the Health Department, as required by General Laws, chapter 94, section 89.

Sec. 2.12 BATHS

No person shall conduct an establishment for the giving of vapor, pool, shower or other baths for hire or reward in Cambridge, or advertise or hold himself out as being engaged in the business of giving said baths, without receiving a license therefor from the Health Department, as required by General Laws, chapter 140, section 51.

Sec. 2.13 SWIMMING OR WADING POOL

No person shall operate or maintain any swimming or wading pool in Cambridge without receiving a license therefor from the Health Department, as required by Regulations adopted by the Department of Environmental Quality Engineering, 310 CMR, sec. 16.10.

Sec. 2.14 COPIES OF PUBLIC RECORDS

The Health Department, with regard to any public records in its custody, shall, at reasonable times, permit them to be inspected by any person, under the supervision of an employee of said Department, and shall furnish copies thereof on payment of a reasonable fee, in accordance with General Laws, chapter 66, sec. 10.

Sec. 2.15 VENDING MACHINES

No person shall engage in the operation of a vending machine in Cambridge, unless he is the holder of a valid permit granted to him by the Health Department.

ARTICLE III

FOOD SERVICE ESTABLISHMENTS

Sec. 3.1 MOBILE FOOD SERVER

The name, address and telephone number of the owner or operator shall be affixed in prominent letters to both doors of every mobile food server.

ARTICLE IV
REFUSE DISPOSAL

Sec. 4.1 GARBAGE TRUCKS

The name, address and telephone number of the owner or operator shall be affixed in prominent letters and numerals to both doors of every truck or other vehicle which transports garbage through the streets of Cambridge.

ARTICLE V

PENALTIES

SEC. 5.1 Unless another penalty is expressly provided by law, every person convicted of a violation of any provision of these regulations shall be punished by a fine of not more than one thousand dollars (\$1,000.) for each offense.

ARTICLE VI

EFFECT OF AND SHORT TITLE OF REGULATIONS

SEC. 6.1 EFFECT OF REGULATIONS

If any part of parts of these regulations are for any reason held to be invalid, such decision shall not affect the validity of the remaining part or parts.

SEC. 6.2 SHORT TITLE

These regulations may be known and cited as the "Health Regulations."

SEC. 6.3 EFFECTIVE DATE

These regulations shall take effect sixty days after publication.

APPENDIX

SCHEDULE OF FEES

The fees for the various permits, licenses and services described in ARTICLE II of these Regulations shall be as follows:

1. Common Victualer

<u>Legal capacity</u>	<u>Fee</u>
1-10	\$ 5.00
11-20	10.00
21-30	15.00
31-40	20.00
41-50	25.00
51-60	30.00
61-70	35.00
71-80	40.00
81-90	45.00
91-100	50.00
101-150	55.00
151-200	60.00
201-250	65.00
251-300	70.00
301-400	75.00

2. Common Victualer Serving Alcoholic Beverages

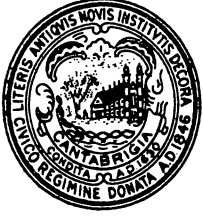
<u>Legal capacity</u>	<u>Fee</u>
1-10	\$10.00
11-35	20.00
36-60	30.00
61-85	40.00

<u>Legal capacity</u>	<u>Fee</u>
86-110	\$ 50.00
111-135	60.00
136-160	70.00
161-185	80.00
186-210	90.00
211-235	100.00
236-260	110.00
261-285	120.00
286-310	130.00
311-335	140.00
336-360	150.00
361-385	160.00
386-410	170.00
411-500	200.00
501-600	250.00
601-700	300.00
701-800	350.00
801-900	400.00
901-1000	450.00
1001-2000	500.00
2001-3000	550.00
3. Mobile Food Server	75.00
4. Catering Establishment	100.00
5. Commissary	100.00
6. Commercial Food Processing Establishment	100.00
7. Food Warehouse and Distributor	100.00

8. Retail Food Store

<u>Square Feet of Selling Area</u>	<u>Fee</u>
1-1000	\$ 25.00
1001-2000	50.00
2001-3000	75.00
3001-4000	100.00
4001-5000	125.00
5001-6000	150.00
6001-7000	175.00
7001-8000	200.00
8001-9000	225.00
9001-10000	250.00
\$25.00 for each additional 1000 square feet or fraction thereof	
9. Package Store	100.00
10. Bakery	
Retail	50.00
Wholesale	100.00
11. Funeral Director	100.00
12. Slaughterhouse	100.00
13. Refuse Disposal	
Transport (per vehicle)	100.00
Site Assignment	100.00
14. Burial Permit	2.00
15. Motel	10.00
16. Recreational Camp	10.00
17. Overnight Camp or Cabin	10.00
18. Mobile Home Park	10.00

	<u>Fee</u>
19. Manufacturing or Bottling of Beverages	\$ 20.00
20. Baths	500.00
21. Swimming or Wading Pool	100.00
Seasonal	25.00
22. Copies of Public Records	.10 (per page)
23. Vending Machine	50.00



CITY OF CAMBRIDGE

CAMBRIDGE, MASSACHUSETTS 02139
Tel. 498-9011

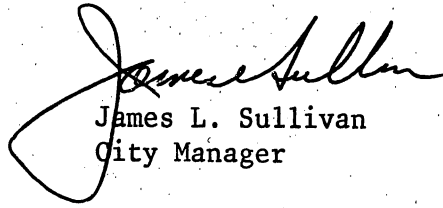
EXECUTIVE DEPARTMENT
JAMES L. SULLIVAN
City Manager

June 15, 1981

To the Honorable, the City Council:

Enclosed please find copy of the Health Regulations, including new rates for permits, licenses and fees, promulgated by the Commissioner of Health and Hospitals.

Very truly yours,



James L. Sullivan
City Manager

JLS/mbf
Enc.

Agenda # 1

F-236A

New rates for permits, licenses & fees promulgated by the Health Commissioner.

In City Council,

June 15, 1981

6/15/1981

Placed on File -
Check procedure
to
promulgate this
schedule