

Board of Selectmen

Policy Number:	BOS-LIC-005
Policy:	Policies and Regulations for Granting of Lodging Licenses in Needham, Massachusetts

Policy:

It is the policy of the Board of Selectmen, as the Town's licensing authority, to issue Lodging Licenses as required under M.G.L. c 140 § 22 – 32 inclusive. The purpose of these regulations is to preserve the integrity and safety of fire protection systems and equipment against vandalism or other improper use in lodging houses within the Town.

I. Definitions. The following term shall have the meaning set forth for the purposes of these regulations:

- A. “Person”, any natural person, corporation (whether for profit, or non-profit, or educational non-profit, or any other form of corporation), partnership, and any other entity of whatsoever name and description which owns and/or operates a lodging house.
- B. “Lodging house”, a house where lodgings are let to four or more persons not within the second degree of kindred to the person conducting it, and shall include fraternity houses and dormitories of educational institutions, but shall not include dormitories of charitable or philanthropic institutions or convalescent or nursing homes licensed, or group residences licensed or regulated by agencies of the commonwealth under section seventy-one of chapter one hundred and eleven of the General Laws or rest homes so licensed. (Ref. G.L. c. 140, §22).

This policy shall not apply to premises licensed as Innkeeper in accordance with M.G.L. C 140 § 2.

- C. “Fire Protection Systems and Equipment”, mechanical and/or electrical devices, individual or interconnected, installed in a building for the purpose of preventing, detecting, containing, or suppressing fire; providing notification of fire to building occupants and/or the fire department; or providing assistance to the fire department in firefighting or rescue operations in the building.
- D. “Enforcement Officer”, the Fire Chief or his/her designee.

- E. “Malicious Alarm”, an alarm which is invalid and the result of malicious intent or illegal activity, as determined by the Fire Chief.
 - F. “Fiscal Year”, the fiscal year as used by the Town of Needham; July 1 of one calendar year through June 30 of the following calendar year.
- II. Purpose. The purpose of these regulations is to preserve the integrity and safety of fire protection systems and equipment against vandalism or other improper use in lodging houses within the Town.
- III. Scope. These regulations shall apply to lodging houses as licensed by the Board of Selectmen.
- IV. Compliance Requirements. Each Person shall be subject to, responsible for and fully in compliance at all times with, the following requirements:
- A. Fire Protection Systems
 - 1. A Certificate of Annual Inspection and Test shall be provided to the Needham Fire Department (N.F.D.).
 - 2. Fire alarm control panels shall be kept locked at all times. Keys to panels shall be provided to the N.F.D. or readily available to fire responders. Keys to locked rooms containing control panels are included in this requirement.
 - 3. Fire alarm control panels or remote supervisory equipment shall be inspected daily for power supply, trouble signals etc., by trained personnel and records of these inspections shall be maintained for one year, to include the identity of the inspector, and the times (daily) of each inspection.
 - 4. No person shall enter a master fire alarm box for any reason without written permission from the Superintendent of Fire Alarm or the N.F.D.
 - 5. No person shall silence or reset a fire alarm system which is in an alarm condition without the authorization of the N.F.D. officer in charge.
 - 6. All operators of more than one lodging house shall maintain a program for cleaning, servicing and maintenance of all building fire protection systems and equipment. Such program shall be documented, approved by the N.F.D. annually, prior to the issuance of the license, and comply with all applicable National Fire Protection Association Standards with respect to fire alarm systems, sprinkler systems, if present, emergency exit lights, fire extinguishers, and shall include an alarm technician on 24-hour availability.
 - 7. Self-closing fire and smoke doors shall be kept closed and signs to that effect approved by the N.F.D. shall be permanently affixed to the

doors. Those fire doors equipped with approved hold-open devices shall not be obstructed from proper operation.

B. Safety Education, Training and Staff

1. Lodging houses operated by educational institutions shall provide a program on fire safety education for the occupants of each building at the beginning of each semester. Such programs shall be approved by the N.F.D. and shall include material on the dangers of false alarms.
2. Lodging houses operated by educational institutions shall provide an extensive program on fire safety education for residential staff at the beginning of each semester. Such programs shall be approved by the N.F.D. and shall include basic instruction on the operation of fire alarm systems and how to visually inspect them.
3. Lodging houses with ten or more occupants shall hold fire drills as determined by the Fire Chief or his/her designee, supervised by professional staff, with reports submitted to N.F.D. within 10 days. Those lodging houses operated by educational institutions shall hold fire drills during the first week of each semester.
4. Lodging houses operated by educational institutions and using students as residence hall staff shall report to the N.F.D. annually the ratio of resident staff to occupants.
5. Lodging houses operated by educational institutions and utilizing student residence hall staff shall identify to the N.F.D. a member of the professional residence hall staff who shall be available or on call at all times.

C. Enforcement

1. Professional and student residence hall staff shall be responsible for overseeing fire safety conditions, including malicious alarms, in areas under their jurisdiction.
2. Operators of lodging houses shall, as soon as practicable, provide to N.F.D. and/or Needham. Police Department (N.P.D.) names of individuals suspected of causing malicious false alarms.
3. Any operator of more than one lodging house and which has a total of three or more malicious false fire alarms in the current and/or preceding fiscal year shall establish an internal system to deter false alarms. This system may include fines, rewards, penalties, etc., and shall address group situations as well as those where specific individuals are identified. This system shall be submitted in writing to the N.F.D. annually for approval and actions taken pursuant to it shall be reported to the N.F.D. quarterly.

D. General

1. Licensed premises shall be subject to inspection by the licensing authority and by its authorized agents and by the police on request from the licensing authorities.
2. Licensees shall comply with all applicable provisions of M.G.L. Ch. 140 Sections 22 – 32.
3. Accumulations of combustibles shall not be permitted in corridors, stairways or exits.
4. Occupants shall evacuate the building immediately on the sounding of the fire alarm system and not reenter the building until authorized by the N.F.D. officer in charge.
5. Occupants shall maintain adequate clearance from fire apparatus at all times and not interfere with the operations of the N.F.D. personnel.

V. Posting of Criminal Laws Required. There shall be posted in a conspicuous place on each floor of each lodging house within the Town summaries of the following General Laws making it a crime to interfere with firefighting operations and the causing of a false fire alarm:

- A. G.L. c268, §32A, making it a crime to interfere with firefighting operations.
- B. G.L. c.268, §32, making it a crime to cause a false fire alarm.
- C. G. L. c. 269, §13, making it a crime to make, by outcry or otherwise, a false fire alarm.

Summaries and posting locations shall be approved by N.F.D.

VI. Violations and Penalties.

Any and all violations of these regulations relating to improper use of fire alarms shall be enforceable by the enforcement officer either by initiating criminal proceedings, or through the non-criminal disposition procedure set forth in Town Bylaw section 3.6.

VII. Fee

The license fee, or any renewal thereof, shall be \$50.00 per calendar year.

Effective: August 15, 2006