Article 29. Residential Rental Property Bylaw

Registration, permitting and enforcement framework to ensure rental properties comply with local and state laws to promote and sustain safe and healthy neighborhoods in the Town of Amherst. (Section 1.)

**OWNER/MANAGER, TOWN STAFF (Section 5.)**

1. **IDENTIFY**
   - (Future)
   - Town uses GIS to identify likely residential rental properties

2. **REGISTER**
   - Sects. 2, 6., 11.
   - Property owner registers annual
   - Registration fee set by Select Board
   - Registration is mandatory; fine for non-compliance

3. **ATTEST**
   - Sects. 6., 7.
   - Property owner completes self-certification; amends annually, as needed.
   - Parking plan required
   - Fine for non-compliance or misrepresentation

**COMPLAINT-BASED**

**CODE OFFICER, OWNER/MANAGER, OCCUPANT (Section 5.)**

4. **COMPLAINT**
   - Section 7.
   - 1. Compliant filed
     - Anonymous
     - Owner
     - Occupant
     - Neighbor
     - Health Dept.
     - Fire Dept.
     - Police Dept.
     - Inspections Dept.

5. **INVESTIGATION**
   - Sects. 7., 12.
   - 2. Property Research
     - Site inspection
     - Code Official
     - Primary Code Official

6. **ENFORCEMENT**
   - 4. Notice of Violation/Enforcement Order
   - 5. Follow up inspection
   - 6. Fines
   - 7. Suspension of Rental Permit
   - 8. Court Action
     - Landlord/Tenant Court
     - Rental Appeals Board
     - Primary Code Official
     - District Court

**Affected Property/Use Types (Sections 4., 5.)**

- Owner-occupied supplemental apartments; two-family dwelling; converted dwelling; town house; apartment; certain mixed-use buildings;
- Rooming units in lodging or boarding houses operated as principal uses
- Accessory lodging or boarding uses (rooms) and supplemental apartments

**Exempted Property Types/Uses (Sections 4., 5.)**

- Owner-occupied properties with 1-3 boarders; 4-6 boarders (by special permit)
- Hotels, motels, inns, hostels, bed and breakfasts, or similar
- Residential facilities authorized and operated under state and federal law

**Local Regulations (Section 3.)**

- Residential Rental Property Bylaw
- Town of Amherst General By-Laws, including Nuisance House, Unlawful Noise, and Keg Licensing
- Amherst Zoning Bylaw
- Amherst Board of Health Regulations

**State Laws & Regulations (Section 3.)**

- MGL Chapter 40A (Zoning)
- MGL Chapter 143 (Inspection & Regulation)
- MGL Chapter 148 (Fire Prevention)
- 780 CMR (State Building Code)
- 105 CMR 410 (State Sanitary Code Chapter II: Minimum Standards of Fitness for Human Habitation)
- 310 CMR 7.10 (Department of Environmental Protection, Air Pollution Control, Noise)
- 527 CMR (Board of Fire Prevention Regulations)
- 521 CMR (Architectural Access Board Regulations)