



HOUSING SPACE & USE BY-LAW

SECTION I

Any owner and/or agent who shall offer for rent or lease any building or portion thereof to be used for habitation, other than a licensed premise, shall first register with the Health Department, who shall determine the number of persons said building or portion thereof can legally accommodate. Any building or portion thereof regulated by the provisions of the Space & Use By-Law shall have conspicuously posted on the premises a Certificate of Registration, supplied by the Dennis Health Department, specifying the number of people assigned to occupy and/or use each dwelling. A Certificate of Registration shall be issued at the discretion of the Health Director and in accordance with regulations of the Sanitary Code of Massachusetts and the Town of Dennis Zoning Laws, that said building and/or premises are in compliance with said codes. The owner and /or agent shall keep a record of names and addresses of lessees and dates of occupancy, making this information available to the Town's regulatory agencies, upon request.

SECTION II

The owner, agent, or tenant of rental property may be found in violation of this by-law if the number of occupants exceeds that specified by the Certificate of Registration, or exceeds the allowable number determined by the health inspector, if no such registration shall be in effect.

SECTION III

There shall be an annual fee set by the Board of Selectmen for each owner to register each habitable dwelling covered under Section I. Said registration and Certificates of Registration are not transferable. Failure to register, and failure to obtain, or to post the Certificate of Registration constitute violations of this by-law.

SECTION IV

The owners of all rental units, as described in Section I above, shall be required to certify annually to the Dennis Health Department that operating smoke detectors have been placed in rental units. The smoke detectors and locations thereof shall be satisfactory to the Dennis Fire Department.

SECTION V

Any person found in violation of any provision of this by-law shall be punished by a fine of not more than Two Hundred Dollars (\$200.00) in accordance with the following schedule of fines, and each day that the violation continues shall constitute a separate offense:

- For the first offense, the fine shall be \$50.00 or a warning at the discretion of the enforcement officer.
- For the second offense, \$100.00
- For the third and subsequent offenses, \$200.00

Notice of violation and procedure shall be in accordance with M.G.L. Chapter 40, Section 21D, (Non-Criminal Disposition).

APPROVED: STM- October 25, 1973 ATM- May 3, 1988
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