



# **Town of Reading Massachusetts**

**Community Services  
Health**

**Health Regulations**  
Section 15 - Public Nuisances

## SECTION 15 PUBLIC NUISANCES

The Board of Health shall order the owner or occupant of any private premises, at his own expense, to remove any nuisance, source of filth or cause of sickness found thereon within twenty-four hours, or within such other time as it considers reasonable after notice and an owner or occupant shall forfeit twenty-five dollars (\$25) for every day during which he knowingly violates such an order.

### Posting Board of Health Order

Such **order** shall be in writing, and be served personally on the owner, occupant or his authorized agent by any person authorized to serve civil process; or a copy of the order may be left at the last and usual place abode of the owner, occupant or agent, if he is known and within or without the commonwealth; or a copy of the order may be sent to the owner, occupant or agent by registered mail, return receipt requested, if he is known and within the commonwealth. If the order is directed against the owner and if the residence and whereabouts of the owner or his agent are unknown or without the commonwealth, the **Board may direct the order to be served by posting a copy thereof in a conspicuous place on the premises and by advertising it for at least three out of five consecutive days in one or more newspapers of general circulation within the municipality wherein the building is situated.**

### Compliance to BOH Order

If the owner or occupant fails to comply with such order, the board may cause the nuisance, source of filth or cause of sickness to be removed, and all expenses incurred thereby shall constitute a debt due the Town upon the completion of the removal and the rendering of an account therefore to the owner, his authorized agent, or the occupant, and shall be recoverable from such owner or occupant in an action of contract.

### Payment of Action by Board of Health

A debt due the Town shall constitute a lien on the land upon which the structure is located if a statement of claim, signed by the Board of Health and setting forth the amount claimed without interest, is filed with the Registry of Deeds within ninety days after the debt becomes due. Such lien shall take effect upon the filing of the statement and shall continue for two years from the first day of October next following the date of such filing. Within a reasonable time after filing the statement of claim with the Registry of Deeds (and certainly before the expiration of the two year period during which the lien is in effect), the Board of Health shall certify to the assessors the claims upon the land. The assessors shall turn in; commit such claims with their warrant to the collector of taxes, who shall have the same powers and duties with respect to such claim as in the case of the annual taxes upon real estate. The provisions of law relative to the collection an annual tax, the sale or taking of land for the nonpayment thereof, and the redemption of land sold or taken shall apply to such claim.

The provisions of the above paragraph relative to lien for such debt and the collection of the claims for such debt shall apply to any debt referred to in this section; expect that the Board of Health shall act hereunder in place of the Board of Selectmen.