

## ARTICLE I: GENERAL PROVISIONS

### 1.0 Legal Authority

These regulations are adopted pursuant to the authority granted to local boards of health under M.G.L. ch.111 §31.

### 2.0 Severability

Each provision of these regulations shall be construed as separate to the end that if any part of it shall be held invalid for any reason, the remainder shall continue in full force and effect.

### 3.0 Enforcement

These regulations shall be enforced by the Town of Burlington, here in referred to as the “Town”, Town of Burlington Board of Health, here in referred to as the “Board of Health”, or its Agent.

### 4.0 Administrative Procedures

[Regulation Amended January 28, 2025]

#### 4.1 Hearings

Any person that has received an Order issued pursuant to these regulations may request a hearing before the Board of Health. Such request shall be in writing and shall be submitted to the office of the Board of Health in writing so as to be received by the Board of Health within ten (10) days after receipt of the Order. After said hearing, the Board of Health may affirm, modify or rescind said Order or take any other action it deems warranted and appropriate.

#### 4.2 Variances

Upon written application and public hearing, the Board of Health may in its sole discretion vary the application of any provision of these regulations with respect to any particular case when it determines that the enforcement thereof would do manifest injustice; provided that the decision of the Board of Health shall not conflict with the spirit of this regulation or any minimum standards required by Federal or State law; and provided that the applicant demonstrates to the reasonable satisfaction of the Board of Health that a sufficiently equivalent level of protection can be achieved. Any variance granted by the Board of Health shall be in writing and shall be subject to such conditions as the Board of Health deems appropriate.

### 5.0 Board of Health Fee Schedule

[Regulation Adopted February 28, 2023]

PERMIT TYPE	PERMIT FEE	PERMIT EXPIRATION DATE
<b>Food Establishments</b>		
Food Establishment: Food Process Type 1 (No Cook Food Preparation)	\$100	November 1 <sup>st</sup>

Food Establishment: Food Process Type 2 (Same Day Service Food Preparation)	\$200	November 1 <sup>st</sup>
Food Establishment: Food Process Type 3 (Complex Food Preparation)	\$300	November 1 <sup>st</sup>
Food Market: one department	\$200	November 1 <sup>st</sup>
Food Market: Supermarket/Multi-department (2 or more departments)	\$600	November 1 <sup>st</sup>
Retail Food	\$100	November 1 <sup>st</sup>
Frozen Dessert Machines	\$50	November 1 <sup>st</sup>
Residential/Cottage Kitchen	\$100	November 1 <sup>st</sup>
Special Process	\$50	November 1 <sup>st</sup>
Mobile Food	\$50	June 30 <sup>th</sup>
Temporary Food Event Organizer (more than 3 vendors)	\$100	Upon Submittal
Seasonal Food Event Organizer (> 1 month)	\$150	Upon Submittal
Temporary Food Vendor	\$25	Upon Submittal
<b>Facility Plan Reviews</b>		
Food Establishment: New Establishment or Owner	\$150	Upon Submittal
Swimming Pool/Special Purpose Pool: New Establishment or Owner	\$150	Upon Submittal
Swimming Pool or Food Establishment Renovation: Same Owner	\$75	Upon Submittal
<b>Hazardous Materials Storage &amp; Disposal</b>		
Hazardous Materials Storage	\$150	April 15 <sup>th</sup>
Hazardous Materials Disposal–Commercial Renovation	\$25	Upon Submittal
Hazardous Materials Disposal - Demolition	\$50	Upon Submittal
<b>Public and Semi-Public Swimming Pools</b>		
Indoor and Outdoor (per pool)	\$150	May 1 <sup>st</sup>
Special Purpose Pools and Wading Pools (per pool)	\$50	May 1 <sup>st</sup>
<b>Septic Systems</b>		
Septic System Construction or Repair Permit	\$100	Upon Submittal
Septic System Installer Permit	\$100	Upon Submittal
Septic System Abandonment	\$50	Upon Submittal
Septage/Grease Hauler Permit	\$50	December 31 <sup>st</sup>
<b>Wells</b>		
Monitoring Well Installation	\$50	Upon Submittal
Irrigation Well Installation	\$50	Upon Submittal
<b>Other</b>		
Biological Safety Permit	\$750	February 28 <sup>th</sup>
Body Art Permit	\$100	Upon Submittal
Keeping of Animals Permit	\$25	June 30 <sup>th</sup>
Recreational Camps License	\$100	Upon Submittal
Tanning Salon License	\$50	July 1 <sup>st</sup>
Tobacco Product Sales Permit	\$150	December 31 <sup>st</sup>

\*Fees waived for non-profit organizations and the Town Municipal Departments