

Town of Scituate

Board of Health
600 Chief Justice Cushing Highway
Scituate, MA 02066



Regulations for Bed & Breakfast Operation

Purpose:

The Scituate Board of Health is responsible for inspecting food establishments within the Town of Scituate, and the Massachusetts Department of Public Health has adopted the 2013 FDA Food Code with amendments made by the FDA in 2015 and additional amendments adopted by DPH in 2018 as the 105 CMR 590: State Sanitary Code, Chapter X – Minimum Standards for Food Establishments, which states that “No permit from the board of health is required if a bed-and-breakfast operation that prepares and offers food to guests meets the following criteria: (a) The home is owner-occupied; (b) The number of available guest bedrooms does not exceed six; (c) Breakfast is the only meal offered; (d) The number of guests served does not exceed 18; and (e) The consumer is informed by statements contained in published advertisements, mailed brochures, and placards posted at the registration area that the food is prepared in a kitchen that is not regulated and inspected by the board of health. “

The Scituate Board of Health maintains the opinion that Bed & Breakfast establishments still pose enough of a risk to consumers that it warrants permitting and inspection by the Board of Health.

To ensure compliance and food safety in all Bed & Breakfast operations, the Scituate Board of Health has adopted the following regulation.

Authority:

This regulation is promulgated pursuant to the authority granted to the Scituate Board of Health by Massachusetts General Laws Chapter 111, section 31 which states “Boards of Health may make reasonable health regulations”.

Definitions:

Bed & Breakfast operation – a private owner-occupied house where rooms are let and prepares and offers food to guests and breakfast is the only meal included.

Bed & Breakfast operating permit requirements:

Bed & Breakfast operations are unique, in that they are establishments in a private owner-occupied home that are allowed to be used to prepare food for guests that let a room.

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In order for an applicant to be considered for a Scituate Bed & Breakfast Operations permit, the applicant must meet these minimum requirements:

- Bed & Breakfast operation shall not sell or serve food unless it has been approved to do so and has obtained a valid permit from the Board of Health.
- Bed & Breakfast operations are required to comply with CMR 410.000 Minimum Housing Regulations and Title V Regulations 310 CMR15.
- Bed & Breakfast operations that require a food establishment permit shall comply with the minimum requirements of 105 CMR 590.000.
- Bed & Breakfast operations which require a permit shall be inspected by the Board of Health when an original application is submitted for a permit, within the six months prior to renewal of a permit, and at least once a year for the enforcement of 105 CMR 590.00.
- Bed & Breakfast operation must abide by the Department of Public Health 105 CMR: 590.010, Food preparation and protection: Residential kitchens in a Bed & Breakfast operation.

This regulation shall be effective January 1, 2020 and will coincide with the annual permitting. The permitting application fee will correspond with the current fee schedule.

Violations:

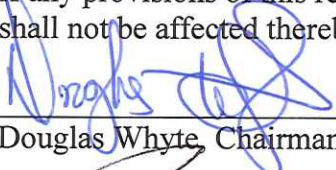
It shall be the responsibility of the establishment, permit holder, and/or his or her designee to ensure compliance with this regulation.

Enforcement:

The enforcement of this regulation shall be by the Scituate Board of Health or its designated agent(s).

Severability:

If any provisions of this regulation are declared invalid or unenforceable, the other provisions shall not be affected thereby but shall continue in full force and effect.



Douglas Whyte, Chairman



Russel Clark, Member



Wendy Oleksiak, Member

Date this regulation was approved by the Scituate Board of Health: _____

9.23.19