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* Summary *

City of Salem Board of Health Regulation 23 Rules and Regulations for Exterior Paint Removal and Abrasive Blasting

The Board of Health in the City of Salem Massachusetts, acting under the authority of Section 31, Chapter 111 of the Massachusetts General Laws and amendments and additions thereto, and by any other power thereto enabling, has adopted the following rules and regulations in the interest of and for the preservation of the public health. The effective date shall be upon publication of the regulation.

The City of Salem Board of Health Regulation #23, was designed to protect the health of Salem Residents by regulating exterior paint removal. A complete copy of the regulation is available upon request at the Board of Health located at 120 Washington Street 4th Floor, Salem, MA. The major provisions of the regulation, which applies to the painting contractor as well as the homeowner, are summarized below:

- 1.) A permit must be issued by the Board of Health prior to the paint removal process.
- 2.) The Health Department is responsible for notifying abutters one week prior to the commencement of abrasive blasting.
- 3.) Electric sanding on any exterior surfaces is prohibited.
- 4.) Abrasive blasting on exterior surfaces is prohibited unless a variance is granted by the Board of Health to allow wet or mist abrasive blasting on certain masonry and metal surfaces.
- 5.) Lead testing by a Licensed Lead Inspector is required only when a variance permitting abrasive blasting is sought. If such test reveals dangerous levels of lead, a permit will only be granted to a licensed deleader, who must conduct all work in accordance with all applicable state and local regulations.
- 6.) When no lead testing is required, work must be performed in accordance with 454 CMR 22.11 "Safety Procedures for Renovation and/or Rehabilitation" and any other applicable state and local regulations.
- 15.) Violations of these regulations may be punished by a fine of not less than fifty dollars (\$50.00), nor more than one hundred dollars (\$100.00) for the first offense, and not less than two hundred dollars (\$200.00) nor more than five hundred dollars (\$500.00) for each subsequent offense. Each day shall be construed as a separate offense.
- 16.) Any variance granted by the Board of Health must be in writing with a copy available to the public at all reasonable hours in the office of the Board of Health.



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17.) An applicant for a variance shall remain subject to prosecution and in violation under the terms of this regulation unless or until a variance is granted.

18.) The Board of Health or its authorized Agent shall evaluate all applications for variance from the requirements of this regulation and may grant said variance subject to such terms, conditions, and requirements as it may deem reasonable to achieve maximum compliance with the provisions of these regulations.

19.) Each part of these regulations is construed as separate to the end that if any section, item, sentence, clause, or phrase is held invalid for any reason, the remainder of these regulations shall continue in full force and effect.

Compiled and submitted by: Robert E. Blenkhorn, C.H.O., Health Agent on March 12, 1991

Approved by the Board of Health on July 9, 1991

George Levesque, Chairman

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