



TOWN OF MONTEREY

Building Department
435 Main Rd. P.O. Box 308
Monterey, MA 01245

January 23, 2006

TO: Town of Monterey Property Owners

RE: Dwelling Unit Definition/Clarification

Dear Property Owners:

The state definition of a dwelling unit and clarification of what the Building Commissioner believes constitutes a dwelling unit is hereby defined.

State Building Code, 780 CMR, Sixth Edition, defines a dwelling unit as: “A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, cooking and sanitation.”

The Building Official has determined that the cooking component is the easiest to **not** include in the dwelling unit. Applicants are under the assumption that if the structure does not contain a range or cook top in the facility then they therefore do not have a dwelling unit.

The Building Official does not agree with this assumption. In several structures I have inspected, kitchen cabinets and countertops were installed when no cooking appliance was present. It would be easy to supply a microwave or a hot plate to this structure after inspection which would then constitute a dwelling unit.

The Building Official has determined that if a kitchen sink or a dishwasher is present then a means of cooking food could be installed after inspection. Therefore if a kitchen sink or dishwasher is present as well as the living, sleeping, and sanitation components, it would constitute a dwelling unit.

Whoever is aggrieved by this determination/interpretation may appeal to the State Building Code Appeals Board pursuant to 122.0, 780 CMR.

Sincerely,

D.R. Torrico
Donald R. Torrico, C.B.O.
Building Commissioner

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