

# Nuisance Control – Abatement and Removal

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## Facilitator's Guide

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## Guide Overview

This is an online learning tool that can be accessed anytime for independent learning at <http://sites.bu.edu/masslocalinsitute/>. However, in order to meet the training needs of a variety of audiences across Massachusetts, this Facilitator’s Guide (Guide) has been designed to assist with a group-based delivery in flexible time segments. Please note that the Guide provides suggestions and guidelines for how to conduct the training. Each facilitator can adapt the guidelines and/or incorporate his or her own training methods to best meet the needs of any given group who will partake in this training.

Two options for a facilitator-led training are available.

1. Access via high-speed internet: <http://sites.bu.edu/masslocalinsitute/>
2. Access via CD. A CD is available if you do not have high speed internet access to the online training. To request a copy of this training on CD, please contact the Local Public Health Institute of MA at [lphi@bu.edu](mailto:lphi@bu.edu).

For either option, move through the training by following the Table of Contents. Use the scroll bar on the right-hand side to move up and down the page. Click on ‘next page’ or a page number to move between pages.

The course contains multiple webpages with subject content, links to other websites, activities and exercises, and video clips. You should discuss all of the content, play the videos, and conduct the activities and exercises. You should also illustrate some of the links and resources, as time allows. Be sure participants understand that this training is the equivalent of an online Resource Manual so they should be encouraged to access it frequently.

The Guide also provides teaching tips, estimated times for completion, facilitator notes, and supplemental activities or discussion topics. Please note that the online training serves as a valuable resource to all classroom facilitators because it has dozens of links to:

- statutes and regulations that explicitly outline roles, responsibilities, and authority
- carefully selected online resources that provide valuable information for dealing with public health issues

We hope that you find the content and suggestions provided in this Guide useful. We invite you to submit your comments – your opinions and suggestions help to improve our Guides.

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Kathleen MacVarish  
Seth Eckhouse

## Before You Begin

- ✓ Plan approximately 1 hour to complete this online training. For a classroom setting, plan an additional 30 minutes to an hour to allow time for group discussion and activities.
- ✓ Complete the online training on your own.
- ✓ Read this Facilitator’s Guide to become familiar with the content and flow. We suggest you print this Guide before you start the online training, so you can take notes as you complete the training.
- ✓ As you complete the training and review the Facilitator’s Guide, look for segments to include examples specific to your audience and your own experience.
- ✓ Decide if you want to print out any of the webpages, links, or resources for activities or discussion. You can find all answers to the discussion questions in their related webpages.
- ✓ Determine what equipment you want to incorporate into delivering the training.
- ✓ Think about other tools you might wish to supplement the training with, such as flipcharts, diagrams, icebreakers, or activities.
- ✓ If your participants are seeking contact hours, tell them to complete the pre-test online before attending your training and remind them to complete the post-test and evaluation online at the end of the training.

Participants must register to establish a learner profile and complete the pre-test, post-test, and the evaluation for a certificate of completion with contact hours.

## Teaching Tips – Alternatives to “Are there any questions?”

Often asking “*Are there any questions?*” only elicits response from the same few people who are willing to speak up.

The alternatives suggested below are designed to involve learners more actively.



### Identify expectations

Participants can write down 1-2 questions they believe the session will answer.



### Make diagrams

Ask individuals or small groups to draw a diagram that illustrates the material.



### Identify unanswered questions

Ask individuals/ groups to write down 1-2 questions they still have.



### Create potential exam questions

Ask participants to generate potential exam questions and answer them.

## Working with Small Groups

Having learners work in small groups is a good way to increase involvement. When making small group assignments:

- Groups should be no larger than seven people.
- Assign a group leader or reporter.
- Give specific and simple directions.
- Ask for specific and concrete products - list, diagram, summary, illustration, etc.
- Set a time limit.
- Let the learners do the work. Facilitate discussions rather than lead them.

## Introduction (Page 2)

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**Introduce** yourself and provide some background information on your public health experience. Have participants introduce themselves and describe where they work, what they do, and what their backgrounds are. Participants should also state what they hope to learn from the course.

**Explain** that this training will also serve as a valuable resource to all LBOH members and health department staff because it has links to:

- statutes and regulations that explicitly outline roles, responsibilities and authority
- carefully selected online resources that provide valuable information for dealing with public health issues

**Discuss the purpose of the course.** The purpose of this course is to explain to local boards of health (LBOH) how to use nuisance laws to respond to complaints, examine nuisances, and work in partnership with owners, occupants, and other government and community agencies to abate or remove nuisances that can be injurious to the public’s health.

**Note** that participants should have completed the Administrative Search Warrants – How and When to Get One training prior to starting this training.

### **Review Learning Objectives.**

After completing this training, you will be able to:

- Explain the judgment and discretion involved in determining whether something is a public or private nuisance
- Summarize Massachusetts laws to abate or remove nuisances
- Describe four LBOH functions to control nuisances
- Give six examples of non-regulatory LBOH activities that promote healthy communities

## Overview (Page 3)

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**Explain** that courts have historically granted wide discretion to LBOH in their determination of what constitutes a nuisance.

**Ask** participants if they have responded to nuisance complaints or conducted nuisance inspections.

**Define** public health according to the Supreme Judicial Court opinion from the 2006 Athol Case.

**Differentiate** between public health nuisances and private nuisances.

**Emphasize** that, as with all LBOH regulatory programs, asking questions, gathering information, and conducting inspections are necessary to make nuisance determinations.

**Conduct** the self check activity with participants.

## Regulations and Laws (Page 4)

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**Detail** the authorities given to LBOH under Massachusetts General Law (MGL) Ch 111 s122.

**List** other sections of MGL, and other laws and regulations that are relevant to nuisance control.

**Ask** participants if their communities have local nuisance regulations or by-laws.

**Conduct** the self check activity with participants.



## Key LBOH Functions (Page 5)

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**List** the four key functions LBOH have in controlling public nuisances.

**Explain** how a nuisance examination is initiated.

**Mention** that some examinations can be completed with a simple observation, but some are more complex and involve sample collection and repeated inspections in order to gather enough information to make an informed decision about the nuisance.

**Name** the tools and equipment that should be available for investigations and inspections.

**Ask** participants if their LBOH has a nuisance investigation or inspection form.

**List** the information that should be included on an investigation or inspection form.

**Describe** how a nuisance is declared.

**Detail** the exceptions to nuisance laws.

**Emphasize** that if a public nuisance is declared, the LBOH should issue a written order to the responsible party to abate the nuisance.

**Explain** non-criminal disposition.

**Ask** participants if they have ever removed a nuisance at their city/town’s expense.

**Note** that many LBOH in Massachusetts enact local regulations to control a range of actual or potential nuisances.

**Conduct** the quiz group with participants.

## Other LBOH Activities (Page 6)

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**Ask** participants if they have ever resolved a nuisance without official enforcement action.

**Explain** that some LBOH have found success abating community and neighborhood nuisances with education efforts or community task forces.

**List** some activities LBOH can get involved in to promote healthy communities.

**Show** the City of Brookline’s health department website as an example.

**Explain** that health promotion activities may help prevent a situation from becoming a nuisance.

## Conclusion and Additional Resources (Page 7)

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**Encourage** participants to use the Job Aid that summarizes key points from the training for future reference.

**Review** the Learning Objectives.

- Explain the judgment and discretion involved in determining whether something is a public or private nuisance
- Summarize Massachusetts laws to abate or remove nuisances
- Describe four LBOH functions to control nuisances
- Give six examples of non-regulatory LBOH activities that promote healthy communities

**Offer** additional resources for further information.

### Certificate of Completion

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At the conclusion, remind participants that if they would like a certificate of completion with contact hours, they must log in to the Institute’s website and complete the pre-test, the post-test and the evaluation.