Tuesday, September 3, 2013

TOWN CLERK: Diane Crory

RE: BOARD OF HEALTH SOLID WASTE REGULATIONS

I HEREBY CERTIFY THAT ON TUESDAY, SEPTEMBER 3, 2013 THE LITTLETON BOARD OF HEALTH ADOPTED THE ATTACHED REGULATION WITH A UNANIMOUS VOTE OF 5 TO 0.

BOARD MEMBERS VOTED AS FOLLOWS:

ANN m. Loree, Chair   AYE
Peter A. Yapp, Vice-Chair   AYE
William T. Cole, Clerk   AYE
Peter M. Cassinari, Member   AYE
Gino Frattalone, Member   AYE

Michelle Cobleigh, Administrative Assistant

Date filed with Town Clerk: Oct 17, 2013

Diane Crory, Town Clerk

Attachment:
Littleton Board of Health Regulations Requirements for Solid Waste
Section 1 – Authority

The Littleton Board of Health (BOH) acting under the authority of Chapter 111, Section 31 and 122 of the Massachusetts General Laws and any amendments and additions thereto, and by any other power thereto enabling, has adopted the following regulations during its September 3, 2013 meeting, to be effective January 1, 2014.

Section 2 – Purpose

The purpose of this regulation is to protect residents, businesses and the environment within the Town of Littleton from: noise, odors, insects, birds, scavengers, discharges and other nuisances caused by dumpsters.

Section 3 – Definitions

3.1 Commercial Solid Waste (as defined by 310CMR 19.006) means all types of solid waste generated by stores, offices, institutions, restaurants, warehouses, and other non-manufacturing activities, or similar types of solids waste generated from manufacturing operations.

3.2 Construction and Demolition Waste (as defined by 310CMR19.006) means the waste building materials and rubble resulting from the construction, remodeling, repair or demolition of buildings. Construction and demolition waste include but is not limited to concrete, bricks, lumber, masonry, rebar and plaster.

3.3 Hazardous Waste (as defined by 310CMR19.006) means any waste that is defined and regulated under 310CMR30.000: Hazardous Waste.

3.4 Municipal Solid Waste (as defined by 310CMR19.006) means any residential or commercial solid waste.

3.5 Dumpster means any container three (3) cubic yards or larger, that is used to hold any of the following: C&D material, commercial solid waste, garbage, municipal solid waste, rubbish, or recyclable materials.

3.6 Temporary dumpster shall mean a dumpster or series of dumpsters that are continually replaced for a construction project that remains on site for no more than 120 days.

3.7 Solid Waste Hauler means any person, entity, firm, corporation or company, which removes or transports commercial and municipal solid waste.
Section 4 – Dumpster Requirements

4.1 Temporary Construction Dumpsters are excluded from these regulations but must comply with the Fire Department Codes.

4.2 Dumpsters shall be so located that they don’t interfere with the health and/or safety of any resident or business, and shall not obstruct the view of traffic.

4.3 Dumpsters shall be placed on a solid surface such as: asphalt, concrete or compacted gravel.

4.4 No dumpster shall be used to dispose of hazardous waste.

4.5 All Dumpsters shall be constructed of durable materials equipped with tight fitting lids that shall be kept closed except when placing trash in them. Dumpsters used for one time cleanout of property (seven days maximum) and temporary construction or demolition are exempt from this regulation.

Section 5 – Hauler/Contractor Requirements

5.1 No solid waste hauler shall operate within the Town of Littleton without first obtaining a Solid Waste Hauler permit. Each permit shall expire at the end of the calendar year on which it was issued.

5.2 The solid waste hauler shall conspicuously display the business name and telephone number on all vehicles as required by DOT laws, and all dumpsters provided to Littleton customers.

5.3 All solid waste haulers shall provide recycling as part of the residential municipal solid waste removal contracts to the customers in Littleton.

5.4 As part of the application for a Solid Waste Haulers permit, the applicant must submit a copy of the contract with site disposal facilities (waste and recyclables) and a list of dumpster sites in the town at the time of permit application.

5.5 The emptying of dumpsters and solid waste collection shall not commence before 7:00 AM and shall not continue beyond 7:00 PM.

Section 6 – Enforcement and Inspection

6.1 The failure to comply with these regulations by a solid waste hauler may result in the suspension or revocation of the hauler’s permit.
6.2 Prior to the issuance of a solid waste hauler permit an applicant shall show evidence of all state and federal inspection requirements for all vehicles. The Littleton Board of Health reserves the right to perform inspections as deemed necessary.

Section 7 – Fees

7.1 The fee for a Solid Waste Hauler’s permit shall be determined by the Board of Health, see the Littleton Board of Health office or website www.littletonma.org for a fee schedule.

Section 8 – Variances

8.1 The Board of Health may vary the application of any provision of this regulation with respect to any particular case when, in its’ opinion, 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 the minimum standards required by the laws of the Commonwealth of Massachusetts. Any variance granted by the Board of Health shall be in writing. A copy of any such variance shall, while it is in effect, be available to the public at all reasonable hours in the office of the Board of Health.

Section 9 – Severability

If any word, sentence, clause, phrase, paragraph, or section of this regulation shall be declared invalid for any reason whatsoever, that portion shall be severed and all other provisions of the regulation shall remain in full force and effect.

These regulations were adopted by the Board of Health September 3, 2013

THE LITTLETON BOARD OF HEALTH

Date

Ann M. Lorée, Chair

Peter A. Yapp, Vice-Chair

William T. Cole, Clerk

Peter M. Cassinari, Member

Gino Frattallone, Member