

TOWN OF MILLVILLE BOARD OF HEALTH

Dumpster Regulations for the Removal and Transportation of Garbage, Rubbish, Offal, or Other Offensive Substances

The Board of Health of the Town of Millville in accordance with and under the authority granted by Sections 31, 31A and 31B of Chapter 111 of the General Laws of the Commonwealth of Massachusetts hereby adopts the following rules and regulations. All other regulations of the Board of Health inconsistent with these regulations are repealed as of October 1, 2008.

Effective Date: These regulations shall take effect on October 1, 2008

Definitions:

1. Dumpster shall mean a solid waste container including roll-offs or other temporary containers used for the collection of solid waste, but not to include those with a volume of less than two cubic yards used for the collection of solid waste.
2. Contractor shall mean any individual, partnership, corporation, association or other legal entity that contracts with or responds to requests from users by providing for the installation, maintenance, or servicing of a dumpster.

Regulations:

1. Each dumpster must be located on the property so as not to interfere with the safety, convenience, or health of abutters or residents.
2. The Board of Health at its discretion in the interest of protecting public health and safety may require the dumpster site to be enclosed or screened by the property owner or authorized agent to prevent unauthorized access by the general public and for the prevention of wind blown debris.
3. Dumpster is not to be filled between the hours of 11:00 p.m. and 7:00 a.m. for residential property and at the close of the business day for commercial property, at which time those containers equipped with lids, are to be locked. The containers equipped with lids must be closed when dumpster is not in use during all other times.
4. Each dumpster must be of sufficient size and capacity to eliminate overflowing and the property owner or authorized agent of the premises utilizing the service must take appropriate action immediately to empty contents when full.
5. Each dumpster must be situated so as not to obstruct the view of flowing traffic.
6. It shall be the responsibility of the property owner, or agent whose property is being serviced to maintain the dumpster area free of odors, scattered debris, overflowing, and all other nuisances. All dumpsters shall

- be maintained in a nuisance free manner and shall be tightly closed, secure at all times, and leak proof.
7. The contractor shall have his/her name and business telephone number conspicuously displayed on the dumpster.
 8. The emptying of the dumpster contents by the contractor shall not commence before 7:00 a.m. and not continue after 11:00 p.m. except for business, commercial, or industrial sites.
 9. The dumpster contractor shall have the dumpster deodorized when emptied. In addition, if necessary, washed, or sanitized as directed by order of the Board of Health.
 10. These regulations apply to all dumpsters in the Town of Millville whether for residential, commercial, or industrial use.
 11. Whoever violates any provision of this regulation may be penalized by the non-criminal disposition procedure set forth in M.G.L. Chapter 40 Section 21D. For the purpose of this provision, the penalty to apply in the event of a violation shall be as follows:
\$100 for the first offense
\$200 for the second offense
\$300 for the third offense and each subsequent offense
Each day on which a violation exists shall be deemed a separate offense.
 12. Whoever violates any provision of this regulation may be penalized by indictment or on complaint brought in the district court. Except as may be otherwise provided by law and as the district court may see fit to impose, the maximum penalty for each violation or offense shall be one thousand dollars (\$1000). Each day or portion thereof shall constitute a separate offense. If more than one, each condition violated shall constitute a separate offense.

Adopted October 1, 2008

Millville Board of Health

Thomas Houle, Chairman _____

David Stanley, Vice-Chairman _____

Dustin Ciccarelli, Member _____