

TOWN OF CHELMSFORD
GENERAL PROVISIONS, CHAPTER 201
BOARD OF HEALTH

ARTICLE V

COMMERCIAL REFUSE/DUMPSTER* COLLECTION LICENSING & OPERATION

(Added 1-12-81; amended 2-9-88, 12-10-90, 12-9-91, 04-19-07, 07-11-11, 9/13/21, 11/1/21,2/6/23)

201.20. LOCATION AND MAINTENANCE

- A. Dumpster* must be located and placed in a manner approved by the Board of Health. A plot plan prepared by the applicant shall be on file with the Board of Health showing approved location of the dumpster* in relation to business serviced.
- B. All dumpsters* must be enclosed or screened as required by the Board of Health. Dumpsters* must be placed on an impervious pad (asphalt or cement).
- C. A dumpster* is not to be filled between 11:00 p.m. and 6:00 a.m. at which times the lids are to be locked. The lids must be closed when dumpster* is not in use during all times. Extenuating circumstances will be determined by this Board on individual basis and exceptions will be made in the best interest for the public health of the community. The business filing for an exemption must do so in writing and state reasons.
- D. A dumpster* must be of sufficient size and capacity to eliminate overflowing and the property owner or authorized agent of the premises utilizing service must immediately empty contents when full.
- E. A dumpster* must be situated as not to obstruct view of flowing traffic.
- F. It shall be the responsibility of the property owner or agent being serviced to maintain the dumpster* area free of odors, rodents, flies, insects, scattered debris, overflowing, and all other nuisances.

201.21. PROPERTY OWNER TO OBTAIN PERMIT

- A. The property owner or authorized agent responsible for maintaining a dumpster* service is required to have a permit from the Board. This must be preceded with the approval of the Building Department and any other appropriate Town board or commission. The application shall include the owner's address and telephone number. Fee for permit, not transferable, will be set by the Board of Health fee schedule. The permit is to be renewed annually.
- B. Municipal authorized agents must comply with 201-20 and subsection A. When application is submitted, a permit will be granted with no charge.

201. 22 CONTRACTORS SUPPLYING DUMPSTER* SERVICE

- A. The contractor supplying the dumpster* service will make an application for a Refuse Collection permit to remove, transport, or dispose of garbage, offal, or other offensive substances, as well as rubbish, trash, debris, and other materials including scrap. Such license shall expire December 31st of each year but may be renewable on application as herein provided.
- B. The contractor supplying the dumpster* service must have evidence that a Board of Health permit has been issued for the dumpster* before they place a dumpster* on property. If said contractor is notified by the Board of Health of a revoked permit it must be removed within five days of notice.

*Note: Any large metal or durable waste receptacle, compacting unit or drop-off type unit that is used to temporarily collect and store any trash, rubbish, recyclables, garbage, offal, debris or any other like materials for disposal shall be referred to as a "Dumpster" in this Bylaw Regulation.

- C. The contractor shall state on the application, home address, business address, the telephone number under which the business is operated as well as the telephone number and name owner/agent of property being serviced. He shall sign the application.
- D. The contractor shall have the name and telephone number conspicuously displayed on the dumpster*.
- E. The emptying of the dumpster* contents by the contractor shall not commence before 7:00 a.m.
- F. The fee for the license for the contractor to transport shall be set by the Board annually and renewable July 1st each year.
- G. The dumpster* contractor shall have the dumpster* deodorized when emptied or if necessary washed, sanitized as directed by order of the Board of Health.
- H. The contractor shall remove the contents as not to cause spillage during removal and transportation.
- I. The Board of Health may revoke a contractor's license for unsatisfactory service of a property at any time and order services to be suspended.
- J. Whenever a dumpster* remains overflowing or an overflowing condition is continuously being repeated, the Board of Health may order the contractor in writing to immediately remove the dumpster* and contents from the premises being serviced.

201.23 VIOLATIONS AND PENALTIES; APPLICABILITY

- A. Violations of regulations 201-20, 21 and 22 after notification by an Inspector of the Board of Health and notified by certified mail, may result in a penalty of not less than \$10.00, nor more than \$300.00. Each day's violation, not corrected, shall constitute a separate violation.
- B. Violation of those provisions relating to the contents of dumpsters* shall be punishable by Subsection A.
- C. These regulations apply to all dumpsters* in the Town of Chelmsford, or similar units whether for residential, commercial, industrial, or municipal use.

201.23.1 EFFECTIVE DATE

This regulation was accepted and approved by vote of the Chelmsford Board of Health, at a regularly scheduled meeting held on January 12, 1981. This regulation was amended and approved by vote of the Chelmsford Board of Health on February 9, 1988, December 10, 1990, April 19, 2007, July 11, 2011.

This regulation has been amended, voted on, and unanimously approved at a regularly scheduled Board of Health meeting on September 13, 2021, and will go into effect on September 13, 2021. The changes approved at the Board of Health's September 13, 2021, meeting consisted of administrative re-numbering, no substantive changes to the regulation were made at this time.

This regulation has been amended, voted on, and unanimously approved at a regularly scheduled Board of Health meeting on November 1, 2021, and will go into effect on November 1, 2021.

This regulation has been amended, voted on, and unanimously approved at a regularly scheduled Board of Health meeting on February 6, 2023, and will go into effect on February 6, 2023.

*Note: Any large metal or durable waste receptacle, compacting unit or drop-off type unit that is used to temporarily collect and store any trash, rubbish, recyclables, garbage, offal, debris or any other like materials for disposal shall be referred to as a "Dumpster" in this Bylaw Regulation.