

TOWN OF EGREMONT
APPLICATION FOR DUMPSTER AND ROLL-OFF CONTAINER
PERMIT

(Pursuant to Section 31B and 122 MGL111, 105 CMR 410.00, and the Rules and Regulations Governing the Use of Dumpster and Roll-off Containers for the Storage of Garbage, Refuse, Hazardous Waste, and/or Construction and Demolition Waste of the Egremont Board of Health)

Date _____

Application is hereby made for a permit to maintain a dumpster or roll-off container on property, as listed before, in accordance with the Rules and Regulations of the Board of Health.

Check whether permit is for:

Residential Use Commercial Use

Estimated date of delivery of dumpster/roll-off: _____

Estimated removal date: _____

Name of Property Owner: _____

Applicant for permit: _____ Tel. No. _____

On bottom half of this form, please sketch an outline of property, showing the proposed location of dumpster/roll-off. Give distance from dumpster to other buildings and lot lines or boundaries. Use back side of this application if additional space is needed.

Return this application with fee of \$25 to: Board of Health, Egremont Town Hall,
P.O. Box 368, South Egremont, MA 01258

Official Use Only:

Application reviewed by: _____

Payment Received: _____

Permit Number: _____

Dumpster/Roll-off will be removed no later than: _____

EGREMONT BOARD OF HEALTH

Rules and Regulations Governing the Use of Dumpsters and Roll-Off Containers for the Storage of Garbage, Refuse, Hazardous Waste, and/or Construction and Demolition Waste

Section 1. Findings and Purpose

Whereas health, safety and nuisance problems have arisen from misuse and mismanagement of dumpsters and roll-off containers,

The Board of Health of the Town of Egremont, pursuant to Massachusetts State Sanitary Code 105 CMR 410.000, Massachusetts General Law Chapter 111 Section 31B and MGL Chapter 111 Section 122 hereby adopts these rules and regulations in order to minimize health and safety hazards resulting from noxious odors, vermin infestation, sources of filth, combustible materials and the like to ensure proper techniques in the use and location of these dumpsters and roll-off containers, to promote the public comfort and convenience and to encourage recycling.

Section 2. Definitions

- a) Construction and Demolition Waste: Materials commonly used or found in building construction that are not considered Hazardous Waste.
- b) Dumpster: A covered receptacle, etc. which is stored outside an enclosed building and which holds household and/or commercial organic garbage as well as other refuse.
- c) Garbage: Food related waste including paper soiled with food or grease.
- d) Hazardous Waste: As currently defined and regulated by Massachusetts Department of Environmental Protection.
- e) Hazardous Waste Hauler: Anyone who transports Hazardous Wastes for anyone other than their personal use.
- f) Medical Waste: Any solid waste including biological waste as defined by the Massachusetts Department of Public Health that is generated in research or the diagnosis, treatment, or immunization of human beings or animals.
- g) Medical Waste Hauler: Anyone who transports Medical Wastes other than those for their personal use.
- h) Recyclable Waste: As currently defined by local and state regulations.
- i) Refuse: solid waste, rubbish, trash, debris, garbage
- j) Roll-off Container: An open receptacle which usually holds construction and demolition waste.
- k) Solid Wastes: garbage, refuse, medical waste and/or hazardous waste
- l) Solid Waste Hauler: Anyone who transports solid wastes for other than their personal use.

Section 3. Requirements

Permits/Renewal of Permits

- A. Solid Waste Hauler Permit: All solid waste haulers that operate in or through the Town of Egremont require an annual Board of Health (BOH) permit. Solid waste haulers owning dumpster or roll-off containers and/or hauling waste from permanent or semi-permanent dumpsters serving a restaurant, B&B, inn, solid waste generator, etc. are required to obtain an annual Solid Waste Haulers permit from the Board of Health. Permit fees are as set by the Board of Health. Board of Health may waive the requirement for a Solid Waste Hauler permit and/or permit fee for temporary, one-time dumpster or roll-off container haulers. Dumpsters must be emptied when full and not allowed to create nuisances or harborage for insects or animals.
- B. Dumpster Permit: All dumpsters require a BOH permit unless waived by the BOH. All dumpsters must prominently display the name of the owner and valid contact information. Waivers are automatically granted for temporary or one-time dumpster that are filled and emptied in less than one week and do not cause any potential health hazards.
- C. Roll-off Container Permit: All roll-off containers require a BOH permit unless waived by the BOH. All roll-off containers must prominently display the name of the owner and valid contact information. Permit waivers are automatically granted for temporary or one-time roll-off containers that are filled and removed in less than two weeks and do not cause any potential health hazards. Roll-off container permit fees may be waived for roll-off containers that are issued as part of an active building permit and that are onsite two weeks or less. Roll off containers must be emptied when full and not allowed to create nuisances or harborage for insects or animals.
- D. This regulation shall apply to existing as well as new dumpsters and roll-off containers when these regulations become effective. Applicant must state on the permit the anticipated date the roll-off container will be removed. If that date cannot be met a one-time permit renewal, with a new removal date, can be requested. Roll-off container permits may be issued by the Builder Inspector or the Town Office Administrator as well as the Board of Health.

Placement

- A. All dumpsters and roll-off containers must be placed in a location and manner that do not create nuisances or potential health hazards, conditions or odors.
- B. All dumpsters and roll-off containers must be placed more than twenty –five (25) feet from any public way or lot line unless written permission is obtained from the Board of Health or its agent.

Size and Construction

- A. Dumpsters and roll-off containers shall be of sufficient size to properly contain the garbage and/or refuse accumulated between collections.
- B. All dumpsters or roll-off containers must be constructed of metal or other durable material.

- C. All dumpsters must be constructed in such a way as to be leak-proof, vermin resistant.
- D. All dumpsters must be provided with suitable, tight-fitting covers.

Acceptable Contents

- A. Dumpsters: kitchen and food waste, common packaging material, bottles, cans, paper, cardboard, etc. State recycling laws must be adhered to.
- B. Roll-off containers: Construction and demolition waste. Kitchen and food waste or any waste which attracts insects and/or rodents are **not** permitted and must be placed in a covered receptacle which is emptied on a regular basis before spoilage and associated odors and health concerns occur.

Scheduling of Collection and/or Removal of Contents

- A. Dumpsters: If the dumpster is a permanent or semi-permanent fixture its contents will be emptied and hauled on a regular schedule to eliminate the possibility of spoilage, rot, decomposition and associated odor and health hazards.
- B. Roll-off containers: Construction and demolition roll-off containers will be emptied, hauled or removed when they are either full (average height of contents extends over the edge of container), construction work has ceased or when the contents become a health hazard.

Maintenance

- A. All dumpsters or roll-off containers must be emptied with sufficient frequency and in such a manner as to prevent the creation of objectionable conditions.
- B. All dumpsters or roll-off containers must be cleaned and deodorized with sufficient frequency as to prevent objectionable conditions and odors.
- C. All dumpsters must be kept covered at all times.

Section 4. Responsibility for Implementation

- A. The owner, or his agent, of the property on which the dumpster or roll-off container is located will be held responsible for the implementation of all the rules and regulations.
- B. The Board of Health has the right to order the owner of any dumpster or roll-off container to immediately remove the dumpster or roll-off container at the owner's expense if the dumpster or roll-off container is causing a potential nuisance or health hazard.

Section 5. Scope of These Rules and Regulations

- A. These regulations shall in no way nullify the requirements of the Articles of the State Sanitary Code or Massachusetts General Law or other regulations pertaining to health, disease or safety.

Section 6. Fines and Penalties

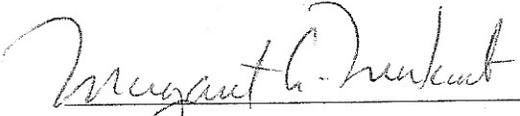
- A. Homeowner will have one week to remediate a violation. After that week remaining violation(s) will result in a fine of \$25 per day doubling every day after that.

Section 7. Invalidation of These Regulations

- A. If any section paragraph, sentence, clause or phrase of these rules and regulations shall be ruled invalid for any reason whatsoever, such decision shall not affect the remaining portions of these regulations, which shall remain in full force and effect; and to this end the provisions of these regulations are hereby declared severable.

Section 8. Adoption and Date of Effect

- A. These rules and regulations were adopted by vote of the Board of Health, Town of Egremont, Massachusetts on June 24, 2010, and shall become effective upon signature of the Town Clerk.



Margaret Muskrat, Egremont Town Clerk

7/6/10
Date