
SOLID WASTE

09.2 SOLID WASTE REGULATIONS

09.2.1 Scope and Purpose

- (1) To control the placement of dumpsters for the protection of the health and safety of the public.
- (2) The requirements hereinafter described are minimums for the properly installed dumpsters maintained in a sanitary condition.

09.2.2 Authority

These regulations are adopted under the authority of Chapter 111, sections 31A and 31B of the General Laws of the Commonwealth of Massachusetts.

09.2.3 Dumpster Siting

- (1) Each dumpster must be located at a distance from the lot line so as not to interfere with the safety, convenience or health of abutters or residents. Dumpster location must be approved by the Board of Health.
- (2) Each dumpster must be sited so as not to obstruct the view of traffic.
- (3) When deemed necessary by the Board of Health, it may require that a dumpster site be enclosed or screened by the property owner or authorized agent.

09.2.4 Use and Safety

- (1) In residential districts, dumpsters are not to be loaded between the hours of 11:00 P.M. and 7:00 A.M. In commercial and business districts, dumpsters are to be closed and locked during non-business hours.

· NOTE: In all districts, dumpster lids must be kept closed

· WARNING: If a dumpster site is accessible to children, the property owner is responsible to take whatever action/procedures and/or physical arrangements necessary to prevent children from getting on or in the dumpster.

- (2) Each dumpster must be of sufficient size and capacity to eliminate overflow, and the property owner or authorized agent of the premises utilizing the service must take appropriate action immediately to empty contents when full.
- (3) It shall be the responsibility of the property owner or agent being serviced to maintain the dumpster area free of odors, scattered debris, overflow and all other nuisances.

09.2.5 Permitting Procedures

- (1) The property owner or authorized agent responsible for maintaining the dumpster service is required to have a permit from the Board of health for each dumpster. All permits shall expire at the end of the calendar year in which they are issued, but may be renewed annually on application as herein provided.

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- (2) No contractor, firm or person shall supply a dumpster service in the Town of Tisbury for the purpose of storage, removal or transporting of garbage, rubbish, offal or other offensive substances without first obtaining a permit from the

Board of Health. All permits shall expire at the end of the calendar year in which they are issued but may be renewed annually on application as herein provided.

(3) Temporary dumpster permits (roll off or gondola type) will be issued to a property owner or authorized agent for a period of time not to exceed thirty (30) days in connection with construction, demolition, fairs, carnivals or for other similar temporary needs. Said permit may be renewed for additional thirty (30) days upon application. The property owner or authorized agent shall comply with all the provisions of these regulations which are applicable to the operation of the dumpster

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09.2.5 Permitting Procedures Continued

(4) Permits may be suspended or revoked by the Board of health for failure of the dumpster contractor or the property owner or his/her authorized agent to comply with the requirements of these regulations.

09.2.6 Contractor's Responsibilities

(1) The contractor shall have his/her name and business telephone number conspicuously displayed on the dumpster.

(2) 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. in residential areas.

(3) The dumpster contractor shall have the dumpster deodorized when emptied and regularly washed and/or sanitized; and shall promptly take such action as the Board of Health may require to promote cleanliness and eliminate odors.

09.2.7 Application

These regulations apply to all dumpsters in the Town of Tisbury whether for residential, commercial or industrial use.

09.2.9 Disposal of Woodwaste

(1) The Board of health in the Town of Tisbury will allow the burial of woodwaste under the following conditions:

- No other type of refuse shall be allowed to become buried with the woodwaste
- Woodwaste is defined as solid waste consisting of trees, stumps, brush and leaves. This includes sawdust, chips, shavings, and bark, but does not include wood pieces or particles containing chemical preservatives such as creosote, pentachlorophenol, paints, stains or other coatings.
- Woodwaste materials must be able to completely decompose and may not leach

Woodwaste in amounts greater than 200 cubic yards require site assignment by the Board of Health. Plans for woodwaste disposal in these amounts must comply with 310 CMR 19.03.

Woodwaste generated in amounts less than 200 cubic yards require review before the Board of Health on a case-by-case basis to determine the level of applicability of this regulation to those sites.

Violation of this law carries a non-criminal fine of \$300.00.

(2) Scope and Purpose – To control the burial of woodwaste and the prevention of burial of other waste that may be hazardous to the environment or a nuisance.

(3) Authority – This regulation is promulgated under the authority of MGL 111, section 150A and is designed to make more stringent the DEQE (DEP) policy memorandum of August 14, 1987 – POLICY ON THE DISPOSAL OF

WOODWASTES.

(4) Background – Brush and stumps may be disposed of in a manner that may potentially cause environmental problems. Brush and stump piles pose a threat of fire and therefore air pollution. Brush and stumps buried on site of a development project may cause land subsidence when the organic material decomposes and settles, particularly if the woodwastes are not well compacted. If a woodwaste disposal area is sufficiently large, the potential exists for future contamination of groundwater sources from organic acids produced as the woodwaste decomposes.