

CITY OF SALEM BOARD OF HEALTH

REGULATION #7

The effective date of this Regulation shall be January 1, 2009.

Section 1.0 Authority

The Board of Health, City of Salem, Massachusetts, acting under the authority of Chapter 111, Sections 31, 31A and 31B, of the Massachusetts General Laws, has adopted the following Regulation #7, replacing Board of Health Regulation #7 adopted on August 21, 1979 and amended on July 16, 1985.

Section 2.0 Rationale

2.1 The City of Salem Board of Health is promulgating rules and regulations that provide requirement for the proper placement, collection and disposal of solid waste by residents and allowed small businesses in order to prevent public health nuisances that could lead to disease and/or environmental contamination.

2.2 Trash placement, collection, and disposal by those other than residents and allowed small businesses must be done in a sanitary manner, in accordance with all applicable local, state and federal rules and regulations, and must not create a public health nuisance.

Section 3.0 Definitions for the Purpose of these Regulations

3.1 Allowed Small Business:

Those small businesses as listed in the "City of Salem, Massachusetts, Contract for Solid Waste and Recyclable Materials, Collection and Disposal, dated July 1, 2008."

3.2 Bag

Plastic sacks designate to store solid waste with sufficient wall strength to maintain physical integrity when lifted by the top. The volume of the bag shall not exceed 35 gallons and the total weight of its contents shall not exceed 50 pounds.

3.3 Bulky Waste

Included, but is not limited to, items weighing over 50 pounds or too large to place in a trash barrel such as furnituyre of a mattress, but excludes yard waste and construction debris.

3.4 Construction Debris

Waste building materials resulting from construction, remodeling, repair and demolition operations.

3.5 Containers

A receptacle for *solid waste or recyclable materials* with a capacity of no greater than 35 gallons constructed of plastic, metal, or fiberglass, having handles or construction to provide adequate strength for lifting, and having a tight fitting cover. The mouth of such container shall have a diameter greater than or equal to that of the base. The weight of the container and its contents shall not exceed 50 pounds.

3.6 Hazardous Materials

Gasoline, waste oil, liquid oil based paints, turpentine, paint thinners, shellac, pesticides, auto batteries, explosives, propane tanks, gas cylinders, PCB's, radioactive materials, medical wastes, any other materials designated hazardous by the United States Environmental Protection Agency (EPA),

the Massachusetts Department of Environmental Protection (DEP), or the Massachusetts Department of Public Health (DPH).

3.7 Household

The single residential unit within a single or multi-family complex.

3.8 Recyclable Material

Material that has the potential to be recycled and is identified listed and accepted as such, by North Shore Recycled Fibers or other recycling companies.

3.9 Solid Waste

Useless, unwanted or discarded solid or liquid material, as per 310 CMR (Code of Massachusetts regulations) 19.006. The term "liquid" refers to the incidental liquids discarded in trash containers or bags. Solid waste consists of rubbish, residential garbage, and small business waste. Solid Waste does not include cardboard, hazardous materials, recyclable materials, white goods, yard waste, or any material placed in a waste ban category by the DEP.

3.10 White Goods

Stoves, refrigerators, water coolers, bubbles, dishwashers, clothes dryers, washing machines, freezers, air conditioners, dehumidifiers, microwaves, TV's and computer screens.

3.11 Yard Waste

Yard Waste consists of grass, leaves, brush; and tree, vine, or shrub trimmings.

3.12 Mixed Paper

All colors and textures of paper that can be ripped.

Brochures, catalogs, copy paper, envelopes, tissue rolls, file folders, junk mail, magazines, newspaper, paper bags, phone books, soft cover books, writing tablets, etc.

Boxes, cereal, pasta, cookie, shoe, office supplies, etc.

Staples, paper clips, labels, and envelopes with plastic windows are OK.

No dirty take-out containers, juice boxes, foil-lined paper, Tyvek or Mylar envelopes, photographs, or hard covered books.

4.0 Responsibilities

4.1 Residential/Allowed Small Business

The occupant or occupants of every single or two family dwelling; the owner or agent of every dwelling having three or more dwelling units and; the owner or manager of every allowed small business, shall provide containers for the storage of solid waste as described in this regulation.

4.2 Commercial

The owner of every business, other than the allowed small businesses, shall provide, keep clean and in good repair proper and sufficient solid waste receptacles for the storage of solid waste. Such owner shall provide for the collection and removal of the solid waste by him/herself or by a private collector, at sufficient intervals, and in a manner to prevent a nuisance as may be determined by the Board of Health.

5.0 Conditions of Collection

5.1 Time of Placement

5.1.1 Tightly covered containers may be placed curbside for municipal collection no sooner than 6 PM the evening before the scheduled collection.

5.1.2 Bags may be placed curbside for municipal collection no sooner than 6 AM the morning of the scheduled collection.

5.1.3 All containers and bags must be placed curbside no later than 7 AM on the day of collection and must be removed from the sidewalk on the same day as the collection.

5.2 Solid Waste Weight Limit

Each household and allowed small business may place no more than 3 *containers* or 3 **bags** or a combination of *containers* and *bags* totaling no more than 3 and weighing no more than a total of 50 pounds each; plus one *bulky waste* item, at curbside for municipal collection.

5.3 Solid Waste Acceptable Materials

Only items included in the *solid waste* definition in this regulation may be placed curbside in *containers* or *bags* for collection.

5.4 Bulky waste

One *bulky waste* item per week may be placed for collection per household and **allowed** small businesses.

5.5 Cardboard

Cardboard must be separated from solid waste, flattened and either bundled in lengths of no more than 3 feet and weights of no more than 50 pounds or placed in paper bags or appropriate recycling containers.

5.6 Hazardous Materials

Hazardous materials, such as those banned from regular solid waste disposal in accordance with 310 CMR 19.017, must be handled according to local, state and federal rules and regulations.

5.7 Recyclable Materials

Recyclable materials may be placed curbside for collection on the same day as regular *solid waste* collection.

There is no limit on the amount *recyclable materials* collected curbside. *Recyclable materials* include mixed paper, and commingled glass, aluminum, metal, and plastics #1 through #7.

Recyclable materials may not be contaminated by significant amounts of substances in accordance with 310 CMR 19.006.

Recycled materials must be placed in City-approved bins (available for sale); or your own containers with appropriate labeling.

Up-to-date information regarding handling recyclable materials may be obtained at the City Engineer's office. (978)619-5679.

5.8 White Goods

White goods not containing Freon and not including TV's and computer monitors, shall be collected by appointment as arranged between the resident or *allowed small business* and the City's Solid Waste Contractor. (978)745-0635.

Disposal of TV's, computer monitors and white goods containing Freon requires purchase of a sticker from the Department of Public services prior to scheduling collection with the City's contractor. (978)744-3302.

5.9 Yard Waste

Yard waste may not be included in regular municipal collection. It will be collected 5 times per year on a schedule agreed upon by the city and the city's contractor, or brought to the Transfer Station on Swampscott Road.

Yard waste must be placed in yard waste paper bags or open containers clearly marked as "yard waste."

Trimmings may be bundled in lengths no more than three feet long. Branches may not have a diameter greater than 3 inches long and weigh no more than 50 pounds.

Section 6.0: Miscellaneous Provisions

6.1 No person shall disturb, remove or collect any solid waste, bulky waste, recyclable material, white goods, or yard waste from any premises without consent of the owner, nor any waste placed out for collection upon any sidewalk or way except employees or contractors of the City.

6.2 No person, firm, business, or corporation shall place or keep any container, bag, box, crate, or any other receptacle containing solid waste or recyclable materials on any sidewalk in the City except for removal or collection by the City, its Contractor or a private collector, place curbside appurtenant to the place such person, firm, business, or corporation resides or has a place of business.

Section 7.0: Penalties

Whoever violates any provisions of these rules and regulations may be fined up to \$1,000.00 by the Board of Health. Each day that these violations exist may constitute a separate offense. In accordance with MGL c.40s.21D, non-criminal disposition and the issuance of a ticket may be used as a penalty of this regulation.

Section 8.0: Severability

If any section, subsection, sentence, clause, phrase, or portion of these regulations is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such provisions and such holdings shall not affect the validity of the remaining portions thereof.

City of Salem
Board of Health
120 Washington Street
Salem, MA 01970

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A Summary of the Regulation was published in the Salem News on _____
after a vote of the board of Health on 12-09-2008 with 6 affirmative, 0 negative, 0 abstaining,

Paulette Puleo, Chairperson

Date: 2-10-09

**CITY OF SALEM BOARD OF HEALTH
REGULATION #7
COLLECTION OF DISPOSAL OF
GARBAGE AND REFUSE**

Re: the amendment of adding Part A to section 3.10 of the CITY OF SALEM BOARD OF HEALTH REGULATION 7 - COLLECTION AND DISPOSAL OF GARBAGE AND REFUSE

Section 3.10. The new amendment will read as follows and take effect Aug. 5, 1985.

3.10 A DOWNTOWN BUSINESS DISTRICT

CONTAINERS OR BUNDLES OF HOUSEHOLD AND ORDINARY COMMERCIAL WASTE, GARDEN AND LAWN WASTE, FOR THE DOWNTOWN BUSINESS DISTRICT.

These shall be placed at the outer edge of the sidewalk appurtenant to the premises of the owner not later than 9: a.m. on the day of collection, and not before 5:00 a.m. on the day of collection, and shall be removed from the sidewalk on the same day as emptied. No commercial establishment in the **DOWNTOWN BUSINESS DISTRICT** shall place or cause to be placed more than four (4) standard size barrels, bags, or bundles (not to exceed 100 lbs. in weight per unit when full or 400 lbs. total weight) per week, OR more than (10) smaller barrels, bags, or bundles with the total weight of all units not to exceed 400 lbs. when full, per week. The streets which are termed as **DOWNTOWN BUSINESS DISTRICT, and** will be affected by this regulation are as follows:

North Street	West
Norman Street	South
Margin Street	West
Washington Street	East
New Derby Street	South
Derby Street	South
Hawthorne Blvd.	East
Essex Street	North
Brown Street	North
St. Peter's Street	East
Federal Street across to Washington Street to North Street or to North	

Compiled and Submitted by
Robert E. Blenkhorn, Health Agent
October 24, 1984
Approved July 16, 1985
By Board of Health
Arthur Kingsley, Chairman
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