



REGULATIONS FOR THE REMOVAL OR TRANSPORTATION OF TRASH

Section 1 - Definitions.

- Dumpster** Shall mean any receptacle of 75 gallons capacity or more which is used for the collection, storage or transportation of household or commercial trash, rubbish, garbage, offal, scrap or other material for discard, disposal or recycling by a private trash collection service, and all commercial grease containers regardless of size. This definition excludes temporary construction material dumpsters which are regulated by the Inspectional Services Department Building Division or the Fire Department, depending on the type of work and location of dumpster.
- Owner** Shall mean any person, including a lessee or mortgagee in possession alone or severally with others who has lawful title to or lawful possession, care or control of any property on which a dumpster is located or proposed to be located. "Owner" also includes any authorized agent of any such person.
- Contractor** Shall mean any person who, for compensation, in the City of Somerville, supplies, maintains or services one or more dumpsters, or removes, transports or disposes of the contents thereof. The Board of Health licenses issued to Contractors shall be known as the "Dumpster Hauler License".
- Person** Shall include any individual, partnership, corporation, firm, association, group or trust.
- Board** Shall mean the Board of Health of the City of Somerville.

Section 2 - Dumpster License Application; Fees.

- 2.1 No dumpster shall be used or kept in the City of Somerville after July 1, 1998, unless application is made to the Board of Health and a license is issued by the Board allowing the use of such dumpster.
- 2.2 Applications for dumpster licenses may be made with the Inspectional Services Department, Health Division. Each application shall include the name and address of the owner of the property where the dumpster(s) is to be located, along with contact information for the person responsible for the dumpster and the service company; the dumpster size, service schedule, type (business, food service, recycling, or residential), and such other information as the Board may require. Any changes in the foregoing must be immediately reported to the Board.

- 2.3 All dumpster licenses shall expire on the following June 30, but may be renewed annually on application as herein provided.
- 2.4 The fee for a dumpster license shall be one hundred dollars (\$100) per dumpster.

Section 3 - Dumpster Hauler License Application; Fees.

- 3.1 Application for a dumpster hauler license may be made with the Inspectional Services Department, Health Division. Each application shall include the business name, address and telephone number of the applicant; list with name and address of each account in Somerville, showing frequency of pickup and dumpster size at each site; worker's compensation insurance affidavit; and such other information that the Board may require. Each dumpster hauler license shall expire on the following June 30, but may be renewed annually upon application.
- 3.2 The annual fee for a dumpster hauler license shall be three hundred thirty dollars (\$330).

Section 4 -Dumpster Regulations.

- 4.1 All dumpsters shall have tight fitting lids, doors or covers, shall be kept covered when not in actual use and shall be locked between the hours of 11:00 p.m. and 7:00 a.m.
- 4.2 Dumpsters shall not be emptied or removed between the hours of 7:00 p.m. and 7:00 a.m.
- 4.3 All dumpsters shall prominently display both the name of the Somerville business licensing the dumpster, and the name of the disposal company that services the dumpster, including service company address and telephone number.
- 4.4 Dumpsters shall be located at a sufficient distance from the lot line to avoid interference with the safety, convenience or health of abutters and other residents. Dumpsters shall comply with the requirements of the Somerville Zoning Ordinance pertaining to dumpsters and trash collection areas.
- 4.5 The Board may require that a dumpster site be enclosed or screened by the owner.
- 4.6 No dumpster shall be situated so as to obstruct the view of flowing traffic.
- 4.7 Any dumpster used for the disposal of liquids or organic matter shall be emptied daily.
- 4.8 All dumpsters and dumpster areas shall be kept free of all nuisances including, but not limited to, flies, insects, rodents and scattered debris.
- 4.9 Each dumpster must be of sufficient size and capacity to eliminate overflowing. Routine weekly scheduled pickups shall be mandatory for multi-unit residences.

- 4.10 The Board may order dumpster capacity size changes and/or additional pickups if in their opinion they find it necessary.
- 4.11 No dumpster may be placed on the city streets without first obtaining permission from the Department of Public Works.
- 4.12 Food service establishments must also comply with 590 CMR 590.000, the State Sanitary Code.
- 4.13 Dumpsters must be maintained in good condition. Rust holes, uncovered drain caps, and other physical evidence of neglect that allows rodents and other animals access to the dumpster contents are not permitted. Licensees who have a history of poor maintenance shall be required to work with their contractor and swap out the dumpster for one that meets these regulations.
- 4.14 Dumpsters must be placed on pavement or concrete, not soil.

Section 5 - Duties of the Contractor and Owner.

- 5.1 The Contractor or Owner shall ensure (1) that dumpster contents are not spilled during removal or transportation; and (2) that each dumpster is deodorized when emptied and washed or sanitized as necessary to maintain the dumpster in a sanitary condition.

Section 6 - Violations; Enforcement.

- 6.1 Any violation of these regulations shall be corrected within twelve (12) hours of being notified of such violation or such other period as the Board may determine.
- 6.2 Upon neglect or violation of the duty imposed by the provisions of these regulations, such duty may be performed by the Department of Public Works of the City of Somerville at the expense of the person liable for same.
- 6.3 The Board may suspend or revoke any dumpster license or dumpster hauler license upon a finding that the holder of such license has violated any of these regulations or has failed to comply with any lawful order of the Board pursuant to these regulations. Additionally, and not by way of limitation, the Board may suspend or revoke any dumpster hauler license upon a finding that the contractor has repeatedly failed or neglected to sanitize, service or maintain dumpsters.
- 6.4 Any person who violates any of these regulations shall be punished by a fine of fifty dollars (\$50) per day for each offense. Nothing in these regulations shall prevent the City from issuing fines under other applicable law.
- 6.5 Each day's failure to comply with an order shall constitute a separate violation.
- 6.6 These regulations shall apply to all dumpsters in the City whether for residential, commercial or industrial use.
- 6.7 These regulations may be enforced by Inspectional Services Health Division, the Department

of Public Works, or the Police Department.

- 6.8 Health Inspectors shall regularly inspect dumpsters for compliance with these regulations. Inspections are unannounced. Inspectors shall conduct dumpster inspections at any time, carry City of Somerville identification, and have the right to enter the property of the licensee to inspect the dumpster.

7 -Transportation of Trash Collected in City; License; Fine.

- 7.1 In accordance with M.G.L. c. 111, 31A, no person shall transport through the streets of Somerville any garbage, offal or other offensive substances which was collected from any dumpster in Somerville, without first obtaining a license issued by the Board of Health. Whoever violates this section shall be punished by a fine of not more than one thousand dollars (\$1,000) for each violation in accordance with M.G.L. c. 111, 31B.

Section 8 - Transportation of Trash not Collected in City; Registration; Fine.

- 8.1 In accordance with M.G.L. c. 111, 31A, any person may transport through the streets of Somerville any garbage, offal or other offensive substances collected outside the City of Somerville provided that such person registers with the Board of Health. Whoever violates this section shall be punished by a fine of not more than one thousand dollars (\$1,000) for each violation in accordance with M.G.L. c. 111, 31B.

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City of Somerville, Board of Health
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Amended: December 15, 2005

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Amended: June 19, 2008

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Amended: January 21, 2010
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Amended: February 25, 2016
Effective: February 25, 2016

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