

TOWN OF CHATHAM BOARD OF HEALTH

REGULATION GOVERNING THE SOLID WASTE DISPOSAL FACILITY

97 Sam Ryder Road, South Chatham

~~BOH-92-1~~

TABLE OF CONTENTS

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| | |
|--|----|
| SECTION 1 AUTHORITY..... | 2 |
| SECTION 2 PURPOSE | 2 |
| SECTION 3 DEFINITIONS | 2 |
| SECTION 4 GENERAL PROVISIONS..... | 5 |
| SECTION 5 DISPOSITION OF ACCEPTABLE WASTE | 5 |
| SECTION 6 UNACCEPTABLE WASTE AT THE TRANSFER STATION | 7 |
| SECTION 7 <u>STICKER ELIGIBILITY</u> | 8 |
| SECTION 8 COMMERCIAL REFUSE COLLECTORS/TRANSPORTERS..... | 11 |
| SECTION 9 RESIDENT/PRIVATE CITIZENS | 11 |
| SECTION 10 9 ENFORCEMENT AND VIOLATIONS..... | 11 |
| SECTION 11 10 SEVERABILITY..... | 12 |
| SECTION 12 11EFFECTIVE DATE | 12 |

- 3.7 **HOUSEHOLD/RESIDENTIAL WASTE** Any rubbish, refuse, or garbage that is normally generated within a residential dwelling. Household refuse does not include such items as refrigerators, stoves, or other appliances, mattresses, furniture, or wastes generated from the grounds of a residential dwelling. Nor does it include household hazardous wastes such as containers of paint, solvents, chemicals, and other substances established by regulations of the Massachusetts Department of Environmental Protection.
- 3.8 **METAL WASTE** Appliances, auto and truck parts, boat parts, pipes, duct work, etc.
- 3.9 **NON-HOUSEHOLD/COMMERCIAL WASTE** Any rubbish, refuse, garbage, or non-bulky waste that is generated from businesses, industry, hotels, motels, in-situations, or other than from within a residential dwelling.
- 3.10 **RECYCLABLES** Solid waste/rubbish that can be collected and treated in such a manner that it can be re-used or altered in such a way that it can serve another function. For the purposes of this regulation, recyclables shall include the following:
1. Glass Containers: glass bottles, jars (soda-lime glass), and fluorescent light bulbs, but excluding incandescent light bulbs, Pyrex cookware, plate glass, drinking glasses, windows, windshields, and ceramics.
 2. Metal Containers: aluminum, steel, or bi-metal beverage and food containers.
 3. Single Resin Plastics: All narrow-neck #1 and #2 plastic containers **and other plastics #1-7 as allowed.**
 4. Recyclable Paper: all paper, cardboard, magazines, newspapers, **Books, Junk mail** and paperboard products excluding tissue paper, toweling, paper plates and cups, wax-coated cardboard, and other low-grade paper products which become unusable to paper mills as a result of normal intended use.
 5. **Cell phones, DVDs, VHS tapes, CDs and other reusable electronics as approved.**
 6. Yard Waste: grass clippings, weeds, and garden materials. ~~and shrub trimmings.~~
 7. Leaves: deciduous and coniferous leaf deposition.
 8. Automotive Products: antifreeze; lead-acid batteries used in motor vehicles or stationary applications; motor oil; oil filters, and tires.

9. White Goods: appliances employing electricity, oil, natural gas, or liquefied petroleum gas to preserve or cook food, to wash or dry clothing, or to cool or heat air or water. These include refrigerators, freezers, dishwashers, clothes washers, clothes dryers, gas or electric ovens and ranges, and hot water heaters. All doors/lids are to be removed before delivery.
10. **Metal waste items such as bed frames and bicycles.**
11. Clean scrap and/or salvageable lumber or firewood.
12. Manure. This includes equine, poultry, **and other animal excrement**, but excludes human **and domestic pet** waste.
13. Cathode Ray Tubes: any intact, broken, or processed glass tube used to provide the visual display in televisions, computer monitors, and certain scientific instruments such as oscilloscopes.

3.11 **REUSABLES**

Small items in good working condition that may be of use to another individual. These items include, but are not limited to, small furniture, books, small appliances, hand and power tools, lawn and garden equipment, toys, fixtures, sports equipment, etc. Such items shall be confined to the Gift Shop building and shall be reasonably clean and in reasonable repair. Whether or not an item is a reusable is at the sole discretion of the gate guard. Used clothing is, for the purposes of this regulation, considered a reusable item, but its disposal is confined to the ~~Salvation Army Collection Box~~ **the charity collection boxes** or the Gift Shop.

3.12 **RUBBISH**

Solid waste including, but not limited to, cardboard not suitable for recycling, **all plastic not suitable for recycling, such as those** other than #1- 7, packing materials, etc.

3.13 **SPECIAL WASTE**

Materials such as sewage solids, **humus toilet waste**, radioactive waste, pathological waste, sharps, explosive materials, including flares, chemicals, certain liquid wastes, **Mercury containing waste**, or other materials of a hazardous nature or materials requiring special handling or procedures for disposal (**Contact the Chatham Fire Department can be contacted for proper disposal of sharps or flares and Chatham Health Department for proper disposal of Humus toilet waste.**)

SECTION 4 GENERAL PROVISIONS

- 4.1 **OPERATION** The Solid Waste Disposal Facility (hereinafter referred to as "the Facility" or "Chatham Transfer Station") shall be operated by the Director of the Department of Public Works (DPW) under the general supervision of the Board of Health in accordance with 310 CMR 19.00 and any supplements thereto and with all applicable plans and provisions as approved by the Board of Health, Board of Selectmen, and the Department of Environmental Protection.
- 4.2 **HOURS** Operating hours shall be set by the Director of the DPW and will be posted on the gate leading to the Facility and at the gate house. Changes in operating hours will be posted a minimum of a week in advance and notices will be sent to a minimum of one locally distributed newspaper.
- 4.3 **EMERGENCY CLOSING** The Board of Health or the Director of the DPW may close the Facility at any time for emergency reasons. In the event of such a closing, commercial haulers shall be informed as soon as possible.
- 4.4 **FEES** Fees shall be set annually by the Board of Selectmen on recommendation of the Director of the DPW. The fee schedule shall be effective from July 1 through June 30 of each fiscal year. All fees will be in dollar multiples. All on-site decisions regarding fees shall be at the discretion of the gate guard and are considered final.
- 4.5 **SPEED LIMIT** The speed limit in all areas of the Facility shall not exceed fifteen (15) m.p.h. Signs shall be posted to that effect.
- 4.6 **STOP** All vehicles must come to a full stop at the gate house before proceeding into the Facility area as instructed by the Gate Guard. All trucks must come to a full stop before entering on to the scale.
- 4.7 **ITEM REMOVAL** No person shall remove any item from the disposal area without the permission of the Transfer Station Foreman **or his designee. *The Transfer Station is not responsible for recovering items lost or accidentally disposed of.*** The exception to this rule is items that are contained within the Gift Shop Building that have been designated as reusables. No individual may take any item solely for resale.
- 4.8 **SCALE BREAKDOWN** In the event of a scale breakdown, ~~the Director of the DPW or the~~ Transfer Station Foreman, **or his designee** may require packer-type trucks to be weighed in at a private company in order to determine the amount and cost of the material to be disposed of.

SECTION 5 DISPOSITION OF ACCEPTABLE WASTE

- 5.1 **ORIGIN** Only bulky waste, construction and demolition waste, garbage, heavy construction waste, household/residential waste, metal waste, non-household/commercial waste, recyclables, reusables, rubbish, or special waste generated within the boundaries of the

Town of Chatham will be accepted at the Facility. All materials being disposed of are subject to inspection by a Facility attendant **the Transfer Station Foreman, or his designee** to determine its acceptability and origin.

5.2 **ACCEPTABLE WASTE** Except as noted under Section 6, the following are considered acceptable at the Facility and shall be disposed of in the approved manner. All materials are to be placed in the proper areas as directed by signs or by a Facility employee **the Transfer Station Foreman, or his designee**. ~~The Facility Gate Guard~~ **The Transfer Station Foreman, or his designee** shall have final authority over the acceptance and/or disposition of any bulky waste, construction and demolition waste, garbage, heavy construction waste, household/residential waste, metal waste, non-household/commercial waste, recyclables, reusables, rubbish, or special waste brought to the Facility.

1. **AT THE TRANSFER BUILDING:** Properly bagged household/ residential trash, non-household/commercial trash, other garbage or rubbish; rags, excelsior, rubber, leather, and other non-toxic burnable refuse, except those items described in Section 6.
2. **BULKY WASTE:** Mattresses, large furniture, carpeting (4 ft. **squares**, rolls of 4 ft. diameter only **maximum 2'wide by 10'long**), etc. shall be placed in an area designated by the Gate Guard.
3. **METAL WASTE:** White goods and large metal scrap such as appliances, **bicycles and bed frames**, are to be segregated and disposed of as instructed by the Gate Guard. All doors/lids are to be removed before delivery. Tanks, including vehicle gas or diesel tanks, and drums must have ends removed and be free of any product. Residential or commercial heating oil tanks are not allowed (contact Chatham Fire Department for proper removal/disposal requirements).
4. **CONSTRUCTION AND DEMOLITION WASTE:** Construction and demolition waste will be accepted from any site in Chatham. Documentation that the site is in Chatham shall be required. All loads are to be logged in at the gate house before disposal.
5. **NON-BURNABLES:** Non-burnable materials such as crockery, seashells, drywall masonry, small quantities of tar-paper, and asphalt shingles are to be placed in the designated area for later transfer.
6. **RECYCLABLES:** All recyclable materials are to be separated by type and deposited in the proper location as designated by signs or as directed by the Gate Guard. No commingling of recyclables is allowed. All recyclables must be clean and free from garbage, debris, and rubbish.
 - a. ~~Glass, plastic, or aluminum~~ **Returnable** deposit containers may be donated to charity in the bin provided. Containers must be rinsed clean and unbroken.
 - b. Residentially-generated engine oil is to be left in the designated area for proper disposal by transfer station personnel only.
 - c. Clean scrap and/or salvageable lumber or firewood is to be disposed of at the direction of the Gate Guard.
 - d. Brush (less than 3" diameter and 4' long) and yard waste is limited to a pickup truck load, a one (1) ton truck load, or a four by eight (4 x 8) trailer load. Material is to be consolidated and transferred to the proper area. Leaves, pine needles, grass clippings, and manure are to be emptied from the transport containers in the area designated by the Gate Guard and then the containers are to be removed to the proper disposal area.

- e. Private and commercially generated fish waste/gurry is to be disposed of at the direction of the Gate Guard.
 - f. Car batteries are to be disposed of at the direction of the Gate Guard.
 - g. Collapsed corrugated cardboard is to be disposed of in the appropriate container. There shall be no foil decorated boxes, boxes with plastic wrap attached, waxed boxes, or boxes contaminated with garbage allowed in this container.
 - h. All other recyclables shall be disposed of at the direction of the Gate Guard.
7. REUSABLES: All reusable items shall be placed in the Gift Shop building. Only items in the Gift Shop are available for re-use. The Gate Guard is the final authority on reuse items. No items are to be taken for private re-sale. Used clothing is to be placed in the Salvation Army bin provided at the Facility or in the Gift Shop building.
8. Any waste not listed may be disposed of at the Facility only after application to the Board of Health and the Director of the DPW. Application must be in writing giving the nature and quantity of the waste to be disposed of. The Board of Health and the Director of the DPW have fourteen (14) days to respond, either giving written permission for the disposal or denying it. Denials shall include an explanation of the reasons for denial. The decision of the Board of Health and the Director of the DPW shall be final.

SECTION 6 UNACCEPTABLE WASTE AT THE TRANSFER STATION

6.1 **UNACCEPTABLE WASTE THAT MAY BE RECYCLED** The following is considered unacceptable and will not be allowed disposition in the Transfer Station **however may be placed in the appropriate area (see section 5.2)**

- 1. Recyclables.
- 2. Reusables including the following;
 - a. **Construction and demolition waste,**
 - b. **Brush and/or yard waste, including tree stumps,**
 - c. **Carpeting.**

6.2 **UNACCEPTABLE WASTE** The following is considered unacceptable and will not be allowed disposition in the Transfer Station.

- 1. ~~Automobiles or truck bodies.~~
- 2. ~~Automobile, truck, inboard, outboard, or inboard/outboard marine engines.~~
- 3. ~~Construction and Demolition waste.~~
- 4. ~~Explosive materials.~~
- 5. ~~Gasoline tanks.~~
- 6. ~~Hazardous waste.~~
- 7. ~~Septage waste.~~
- 8. ~~Special waste.~~
- 9. ~~Brush and/or yard waste, including tree stumps.~~
- 10. ~~Carpeting.~~

11. ~~Commercial waste that has been allowed to decompose and fester to the point that it becomes offensive and a potential danger to the public health.~~
1. **Automobiles or truck bodies.**
2. **Automobile, truck, inboard, outboard, or inboard/outboard marine engines.**
3. **Explosive materials.**
4. **Gasoline tanks.**
5. **Hazardous waste.**
6. **Septage waste.**
7. **Special waste.**
8. **Commercial waste that has been allowed to decompose and fester to the point that it becomes offensive and a potential danger to the public health.**

SECTION 7 PERMITS Sticker Eligibility Requirements

- 7.1 ~~**ACCESS** — No vehicle shall be allowed to enter the Facility without a current permit affixed to the left front bumper.~~
- 7.2 ~~**HOUSEHOLD/RESIDENTIAL PERMITS** — Year-round and seasonal residents and taxpayers of the Town of Chatham may purchase permits to use the Transfer Station for the disposal of household/residential waste from a single-family dwelling unit. The following shall be deemed acceptable as proof of residency or taxpayer status:~~
1. ~~A copy of a current lease.~~
 2. ~~A copy of the most recent utility bill.~~
 3. ~~A copy of the most recent real estate tax.~~
- 7.3 ~~**COMMERCIAL PERMITS** — Year-round and seasonal residents and taxpayers of the Town of Chatham doing business in the Town of Chatham shall purchase this permit to use the Transfer Station for the disposal of their waste. This shall entitle them to bring in their household/residential and non-household/commercial waste at the appropriate fees. No household/residential permit shall be required in addition to this permit for the disposal of their household/residential waste. The following shall be deemed acceptable as proof of residency or taxpayer status:~~
4. ~~A copy of a current lease.~~
 5. ~~A copy of the most recent utility bill.~~
 6. ~~A copy of the most recent real estate tax.~~
- 7.4 ~~**DAILY COMMERCIAL PERMITS** — Contractors and others having out-of-town residency but working in the Town of Chatham may use the disposal by purchase and use of a Daily Commercial Permit. The permit may be purchased from the Gate Guard. Items disposed of at the Facility must be generated in the Town of Chatham. Documentation may be required.~~
- 7.5 ~~**RECYCLING PERMIT** — Recycling permits are available for those resident/taxpayers who use commercial collectors/haulers but wish to process their recyclables themselves. These permits have a nominal fee and allow entry to the recycling area only.~~

STICKER ELIGIBILITY REQUIREMENTS

7.1 GENERAL ELIGIBILITY REQUIREMENTS

1. ~~“Eligible persons” For the purpose of these rules and regulations persons who are entitled to transfer station and beach stickers because they must meet the real estate taxpayer or residence requirements outlined below. Persons denied stickers may appeal through submission of a form entitled “Sticker Appeals,” available at the Permit Office~~
2. ~~The burden of proof of sticker eligibility rests on the applicant.~~
3. ~~At all times, the sticker remains the property of the Town of Chatham. The person to whom the sticker has been issued has purchased a use privilege, not the sticker itself.~~
4. ~~All stickers are “vehicle-specific.” Each sticker will bear the license plate number of the vehicle to which issued and shall be valid only if permanently attached, **and clearly visible on the bottom of the driver’s side front window, placed so as not to restrict the drivers view.**~~
5. ~~Current vehicle registrations must be provided, showing the name of the eligible person as the owner. In the case of a leased or rented vehicle, the eligible person’s name must appear on the lease or rental agreement and copy must be provided to Permit Office. (In the case of a lease vehicle, either a copy of the monthly bill or insurance policy showing that vehicle can be substituted.)~~
6. ~~Residential transfer station stickers allow the owner of the vehicle, in accordance with the Town of Chatham Regulation Governing the Solid Waste Disposal Facility, to dispose of solid waste, generated from residential property owned by said person.~~
7. ~~Commercial transfer station stickers obtained in accordance with these regulations, allow the owner of the vehicle to dispose of solid waste generated in the Town of Chatham at the transfer station in compliance with the Town of Chatham Regulation Governing the Solid Waste Disposal Facility. Such waste is subject to the commercial disposal rates.~~

7.2 RESIDENTIAL TRANSFER STATION AND BEACH STICKER ELIGIBILITY

1. Year Round Resident and Real Estate Tax Payers
 - a. Applicants must appear by name on the current assessor’s list of residential property owners. New owners who have not yet been placed on the list must provide a copy of the deed.
 - b. Spouses of real estate taxpayers are eligible, but must provide proof of their relationship to, and common household with, the real estate taxpayer (e.g. insurance policy, driver’s license, address portion of tax return, etc.)
 - c. Dependents of real estate taxpayers who are under 21 years of age, living year-round with parents, or who are full-time college students (Must have current student I.D. card) are eligible.

- d. In cases of properties owned by trusts, the trustees of the trust **and those named in the trust** are eligible, ~~not the beneficiaries~~. Sufficient documentation, such as an excerpt of the trust agreement, must be provided to demonstrate the applicant's appointment of trustee.
- e. **Non-residents who own businesses in Chatham and thus pay real estate taxes are eligible for residential stickers.**
- f. **Non-resident real estate taxpayers without a habitable dwelling or occupancy permit on a Chatham property are eligible for residential stickers**

7.3 Year Round Residents Who Are Not Real Estate Taxpayers

1. Year round residents who are not real estate taxpayers must appear on the Town's current **street list** census. New residents who have not yet been placed on the list must provide proof of residency by one or more (at the discretion of the Permit Office) of the following:
 - ~~1. Driver's license with Chatham address~~
 - ~~2. A valid Vehicle Registration showing name and Chatham address of owner; if car is leased or in the name of a company, additional paperwork linking that vehicle to the resident or taxpayer is required.~~
 - ~~3. A signed lease of six months or longer duration showing property address and term of lease (with backup from another of the listed documents showing it is a **legal** address.~~
 - ~~4. Current telephone or electric bills for same Chatham address (P. O. Box # does not suffice)~~
 - ~~5. Current year's Massachusetts filed income tax return~~
 - ~~6. Active Military personnel whose home of record is Chatham must show Military card.~~

Voter's Registration Card with additional backup showing **current** Chatham address.

- a. Driver's license with Chatham address
- b. A valid Vehicle Registration showing name and Chatham address of owner.

If car is leased, please provide;

 - A copy of monthly bill, or
 - A copy of the lease agreement, or
 - A copy of the insurance policy listing the vehicle

If car is the name of a company, please provide;

 - A business card with name of applicant and his/her company
 - A letter from the company permitting use of that vehicle
- c. A signed lease of six months or longer duration showing property address and term of lease (with backup from another of the listed documents showing it is a **legal** address.
- d. Current telephone or electric bills for same Chatham address (P. O. Box # does not suffice)
- e. Most recent year's Massachusetts filed income tax return
- f. Voter's Registration Card with additional backup showing **current** Chatham address.

- 7.4 **DAY USE PERMITS** *Contractors working in the Town of Chatham or town residents may use the facility on a daily basis by paying a day use fee to be set by the Selectmen at the recommendation of the Director of DPW. Items disposed of at the Facility must be generated in the Town of Chatham. Documentation may be required.*

SECTION 8 COMMERCIAL REFUSE COLLECTORS/TRANSPORTERS

- 8.1 **LICENSE** No person shall transport commercially collected household/residential refuse, non-household/commercial refuse, bulky waste, or any other garbage or rubbish materials on the streets of the Town of Chatham or into the Facility without a license from the Board of Health. Licenses shall be renewed annually in January and renewal shall be contingent on an inspection of the vehicles used for transportation of refuse.
- 8.2 **VEHICLES AND TRANSPORTATION METHODS** All residential and commercial refuse commercially collected must be transported into the disposal area with a packer type vehicle. All other refuse may be transported in an open vehicle. However, the material must be properly covered with a tarpaulin or netting to prevent displacement.
- 8.3 **LOG IN** All commercial transporters must stop before entering the scale and log in:
1. Type of material. *The Transfer Station Foreman, or his designee, shall inspect all loads upon tipping.*
 2. **Any load determined to be more than an incidental amount of mixed load (commercial & residential) will be charged the higher rate.**
 3. Sign the weight ticket for billing purposes.
 4. *One truck at a time will be allowed on the tipping floor.*

SECTION 9 RESIDENT/PRIVATE CITIZENS

- 9.1 ~~**USE** All residents of the Town of Chatham shall be permitted to use the Facility in accordance with these regulations.~~
- 9.2 ~~**NON-RESIDENT RESIDENTIAL AND COMMERCIAL RENTALS OF LESS THAN A SIX MONTH PERIOD** No permit shall be issued to enter the Facility. The property owner shall provide for refuse collection.~~

SECTION 10 ENFORCEMENT AND VIOLATIONS

9.1 The Board of Health, **and/or the Director of the Department of Public Works** Highway Department, and their employees shall have the authority to enforce any and all of the provisions of this regulation.

9.2 **NON-CRIMINAL DISPOSITION** — To provide for the more effective enforcement of this regulation, where judged appropriate, the use of non-criminal dispositions will be implemented for enforcement. This action is authorized by M.G.L. C. 40, s. 21 D, and pursuant to the Town of Chatham Bylaw to enforce Chapter 140, Section 4.29. In addition to the procedures for enforcement as described above, the provisions of this regulation also may be enforced by the Director of the Highway Department or his designee, or by the Board of Health or any of its agents by non-criminal complaint pursuant to the provisions of MGL C. 40, s. 32D. Each day's failure to comply with an order shall constitute a separate violation. The specific penalty that is to apply for violation of each such section shall be as listed below. The municipal officers or employees whose titles are listed below shall be deemed to be the enforcing officers.

Enforcing agents

Director of the DPW or his designee, the Board of Health or any of its agents

Schedule

Fine

_____ First Offence

_____ Warning

_____ Second Offence

_____ \$25.00 and loss of privilege for the day

_____ Succeeding Offences

_____ \$50.00 and loss of permit

9.2 Violation of any of the below provisions shall result in the forfeiture of the sticker. Re-instatement of facility access will require the user to re-apply for and pay full price for a new sticker. **Permit office shall be notified of all sticker forfeitures.**

9.3 Provisions Subject to Enforcement:

1. Resident sticker registration number not matching the registration number of the vehicle to which it is affixed.
2. Sticker not permanently affixed to the front driver's side bumper of the vehicle.
3. Sticker altered, defaced, copied or made unreadable.
4. Sticker is used to gain entry to beach or transfer station area by persons other than those in the household to which the sticker was issued.
5. Loaning of a sticker to another individual for unauthorized use.
6. Family sticker being used for commercial purpose.

9.4 **Appeals** Any appeal to sticker revocation will be directed to the Director of the DPW.

SECTION 10 SEVERABILITY

If any title, regulation, section, paragraph, sentence, clause, phrase, or word of this code shall be declared invalid for any reason whatsoever, that decision shall not affect any other portion of this code or regulation, which shall remain in full force and effect; and to this end the provisions of this code and regulation are hereby declared severable.

SECTION 12 11 EFFECTIVE DATE

This regulation is effective as of July 16, 1992

REVISED: March 23, 1993

REVISED:

DRAFT