

TOWN OF NORTHBOROUGH
BOARD OF HEALTH



Chapter 8-44
Solid Waste and Recycling Regulations

1. **PURPOSE**

This regulation is intended to control the collection and disposal of municipal refuse in the Town of Northborough in order to protect the public and environmental health, to comply with applicable solid waste regulations and to support the goals established by Solid Waste Master Plan of the Massachusetts Department of Environmental Protection.

2. **AUTHORITY**

This regulation is adopted under Massachusetts General Laws, Chapter 111, Sections 31, and 31B, which gives the Board of Health the authority to make rules and regulations for the control of the removal, transportation or disposal of garbage, offal or other offensive substances.

3. **SEVERABILITY**

Each section, paragraph, sentence, clause, phrase and any other portion of this regulation shall be construed as separate to the end that if any portion thereof shall be held invalid for any reason, then the remainder of the regulation shall remain in full force and effect.

4. **DEFINITIONS**

- 4.1 "Eligible households" are residential buildings with from one (1) to four (4) individual dwelling units.
- 4.2 Apartment buildings and condominium complexes with more than (4) four units are not considered eligible households unless the Town provides municipal trash collection for them. If any such buildings or complexes become eligible for such

- collection, they will be subject to these Regulations and any further specific requirements set forth in writing by the Board of Health Agent
- 4.3 Town-owned buildings, recreational facilities and Northborough Housing Authority buildings for which the Town provides municipal trash collection will be subject to these Regulations and any further specific requirements set forth in writing by the Board of Health Agent.
- 4.4 “Acceptable Waste” means all household garbage, trash, solid waste, refuse, and combustible agricultural, commercial and light industrial waste now normally generated and disposed of by or on behalf of the Town, but excluding (a) explosives and ordinance materials, pathological wastes, chemicals, radioactive materials, oil, sludge’s, highly inflammable substances, cesspool or other human wastes, human and animal remains, motor and demolition debris and hazardous refuse of any type or kind including those regulated under 42 USC SS6921-6925 and regulations there under adopted by the United States Environmental Protection Agency pursuant to the Resource Conservation Recovery Act of 1976, 90 Stat. 2806, 42 USC S 6901, such as cleaning fluid and refuse of similar nature, (b) any item of waste exceeding four feet in any one of its dimensions or being in whole or in part of a solid mass, the solid mass portion of which as dimensions such that a sphere with a diameter of eight inches could be contained within such solid mass portion, and (c) all other items of waste which Wheelabrator Millbury Inc. reasonably believes would be likely to pose a threat to health or safety or the acceptance and disposal of which may cause damage to the Facility or be in violation of any judicial decision, order or action of any federal, state or local government or any agency thereof, or any other regulatory authority or applicable law or regulations.
- 4.5 “Contractor means” the company awarded a contract by the Town of Northborough to collect solid waste and recyclable materials at all eligible households and municipal buildings within the town.
- 4.6 “Municipal Solid Waste (MSW)”: All putrescible and non-putrescible waste including, but not limited to, food waste, paper, metal cans, bottles and other glass, rags, garden waste, plastic, cardboard, wood packing materials, furniture, mattresses, carpeting, flooring, boxes, plumbing fixtures, household grit, and other solid waste from residential households, medical waste, institutional, light industrial and commercial generation sectors, excluding sludge’s, manure, tree stumps, motor oils and construction and demolition materials, hazardous waste, and State and Local banned items. (MSW shall also mean solid waste placed curbside by residents and solid waste from schools and other municipal buildings.)
- 4.7 “Oversize/Bulky Item means a burnable item such as stuffed furniture, mattress, box spring, couch, table or chairs (fabric or wood but not a sleep sofa or recliner chair) lawn furniture, bicycles, swingset, gas grill (without tank) or a tire (without rim). After January 1, 2003 an oversize/bulky item shall also mean any item which does not fit into the Town of Northborough designated bag and is not otherwise banned during the regular weekly solid waste collection.
- 4.8 “Solid Waste, Trash, Rubbish or Garbage” means useless, unwanted or discarded solid or liquid materials from household and municipal buildings, as per 310 CMR 10.006. The term "liquid" refers to the incidental liquids that residents and municipal employee’s discard in the trashcans (e.g., leftover coffee, partially filled

soda cans, etc.). It does not refer to disposal of large quantities (e.g., 55-gallon drums of cleaning fluids, etc.). “ Unit of Trash” means a bag or barrel placed at the curbside.

- 4.9 “Yard Waste or Green Waste” means a form of Solid Waste composed of leaves, grass clippings, brush, branches and other forms of organic matter generated from landscapes and gardens, separated from other forms of Solid Waste, and scrap lumber. “Green Waste” also includes Christmas trees and Hanukkah bushes.
- 4.10 "Board of Health" means the legally constituted Board of Health for the Town of Northborough, or its authorized agents or representatives.
- 4.11 "Construction and demolition debris" means any refuse which results from the construction, remodeling, pulling or tearing down of, or destruction of any building or structure or portion thereof, including but not limited to destruction due to natural or man-made disaster.
- 4.12 Dumpster" means any single container, including compactors and compactor systems, which is designed to store two (2) or more cubic yards of refuse prior to final collection or ultimate disposal.
- 4.13 "Garbage" means the animal, vegetable or other organic waste resulting from the handling, preparing, cooking, consumption or cultivation of food, and containers and cans which have contained food unless such containers and cans have been cleaned or prepared for recycling. Garbage shall not mean food waste, which is free of meat, chicken or fish, or byproducts or bones therefrom, which is added to a residential compost pile maintained in a manner that does not constitute a health hazard.
- 4.14 "Owner" means every person who alone or with others, jointly or severally (a) has legal title to any residential or commercial property or parcel of land, vacant or otherwise; or (b) has care, charge or control of any residential or commercial property or parcel of land, vacant or otherwise, in any capacity including but not limited to agent, executor, executrix, administrator, administratrix, trustee or guardian of the estate of the holder of legal title; or (c) mortgagee in possession; or (d) agent, trustee or other person appointed by the courts; or (e) any officer or trustee of the association of unit owners of a condominium.
- 4.15 "Person" means any individual, partnership, association, firm, company, corporation, department, agency, group (including a city, town, county, state, or other governmental unit) or any other entity responsible in any way for any activity subject to these regulations.
- 4.16 "Refuse" means putrescible or nonputrescible solid waste materials, consisting of all combustible and noncombustible solid wastes including garbage, rubbish, offal and other offensive substances, excluding hazardous waste as defined by Massachusetts General Laws, Chapter 21D, Section 2.
- 4.17 "Residential waste" means any refuse, not including construction and demolition debris, which is removed from a single- or multiple-family dwelling.
- 4.18 "Waste" means useless, unwanted or discarded solid, liquid or gaseous materials resulting from community, domestic, commercial, agricultural and industrial activities.
- 4.19 Illegal Dumping means the unauthorized and improper disposal of refuse upon any public way or public place within the Town of Northborough.

5. **RECYCLING**

The Town of Northborough will provide collection of recyclables from eligible households within the Town of Northborough. This will be a mandatory curbside recycling program. All eligible households receiving curbside trash collection from the town's contractor must participate in the curbside recycling program.

5.1 "Recyclable Materials"

Items to be collected as part of the curbside recycling program are glass containers, steel and metal cans, aluminum, newspaper, magazines, catalogs, telephone books, high grade paper, junk mail, boxboard, corrugated cardboard and all #1 plastic containers, and all #2 plastic containers with the neck narrower than the bottom.

5.2 Preparation of Recyclables

- A. Glass, plastic and metal recyclables shall be placed in a recycling bin provided to each household. Glass and plastic shall be rinsed, with caps, lids, neck rings and other removable pieces removed. Cans and foil products shall be rinsed. Paper labels need not be removed.
- B. Newspapers, corrugated cardboard, boxboard, junk mail and other paper must be placed in a paper bag or bundled together and placed on top of or beside the recycling bin.
- C. Corrugated cardboard shall be flattened and bundled in cut lengths not exceeding 2 feet in any direction and tied together with string or twine.

5.3 Salvaging Recyclables

It shall be unlawful for any person to remove any recyclable materials put out for collection, unless prior written authorization is received from the Board of Health.

5.4 Collection of Recyclables

- A. A recycling bin provided to each eligible household by the Town shall remain the property of the Town and must remain with the eligible household in the case of persons moving. If a recycling bin is misplaced, broken, stolen, or an additional bin is desired, another may be purchased from the Town.
- B. The recycling bin shall be put out with the household trash. Recyclables shall be collected on the same day as trash, but on a bi-weekly basis.
- C. There is no limit on the amount of recyclables each household may set out.
- D. Eligible households must place recycling bins at the curb of the driveway by 7:00 A.M. on the morning of the scheduled collection and remove the bins from the curb the same day of collection.

6.0 SOLID WASTE

6.1 Unacceptable Waste

The following is considered **Unacceptable Waste**:

Acids	Agricultural Equipment	Air Conditioners
Ammunition	Animal Remains	Asbestos
Asphalt Shingles	Biological Wastes	Cable
Cathode Ray Tubes (CRT's)	Caustics	Cesspool or other Human Wastes
Chemicals	Cleaning fluids	Computer Monitors
Crankcase Oils	Demolition Debris*	Drained Oil
Drugs	Drying Machines	Empty Chemical Containers
Explosives & Ordinance Materials	Farm Machinery	Firearms
Flammables	Glass Containers	Hazardous Remains
Insecticides	Large Machinery	Lead Batteries
Leaves	Liquid Waste	Marine Vessels
Metal Containers	Microwave Ovens	Motor Vehicles and /or Parts
Motorcycles and/or parts	Narrow neck plastic containers	Oil
Paints**	Pathological Wastes	Pesticides
Petroleum Products	Poisons	Propane Tanks
Radioactive Materials	Recyclable Paper and Plastics	Refrigerators
Sheet Rock	Snowmobiles and/or parts	Stoves
Televisions	Thermometer and Thermostats containing mercury	
Trailers	Tree Logs and/or stumps	Video Screens
Wall Board	Washing Machines	Wire
White Goods (Appliances)	Rechargeable Batteries	Yard Waste
Wood (greater than 4 feet long and or 1 foot in diameter)		
Fiberglass Products such as Shingles, Insulation, Marine Repair Waste, Cloth, etc.		

***Please Note:** Northborough residents performing minor construction projects on their own property are eligible to set out construction debris in the appropriate size (maximum of four (4) feet in length and with a bundled weight less than forty pounds) with their solid waste, provided it is acceptable waste. Any construction or demolition performed by a private contractor requires a dumpster.

**Liquidified Latex Paint and all Oil Based Paints.

6.2 Preparation Of Solid Waste

Effective January 1, 2003 all solid waste shall be contained within a Town of Northborough designated bag. All solid waste must be placed at the curbside prior to 7:00 a.m. and any barrel or container must be removed at the end of the day. Each household shall be allowed to set out a maximum of eight (8) units of trash plus one (1) large or bulky item per week. A unit is a town designated bag or a barrel containing more than one town designated bag provided the barrel or container does not exceed forty (40) pounds. Longer burnable items such as wood, carpet, padding or a swingset shall be cut into shorter lengths of four (4) feet or less. These shorter lengths shall be tied or bundled together and have a maximum weight of forty (40) pounds. Each bundle shall be considered one large bulky item.

6.3 Oversize/Bulky Item

A burnable item such as stuffed furniture, mattress, box spring, couch, table or chairs (fabric or wood but not a sleep sofa or recliner chair) lawn furniture, bicycles, swingset, gas grill (without tank) or a tire (without rim). After January 1, 2003 an oversize/bulky item shall also mean any item which does not fit into the Town of Northborough designated bag and is not otherwise banned during the regular weekly solid waste collection.

6.4 Collection of Solid Waste

The Contractor shall collect solid waste from each eligible household once per week. The contractor shall not start collecting refuse prior to 7:00 a.m. and shall complete all collections prior to 5.00 p.m.

6.5 Holidays

The Contractor shall not make collection on the day the Town observes designated holidays. Collections falling on a date of such holiday shall be made the next weekday following the holiday.

6.6 Fees for Solid Waste

Effective January 1, 2003 fees shall be charged for the Services of Collection and Disposal of Solid Waste. The fees shall be in the form of a charge for the purchase of Town of Northborough designated bags to be used for containment of solid waste. Fees for the services shall be established by the Board of Selectmen.

7. **ENFORCEMENT**

7.1 Examination of Refuse

For the purpose of enforcing this regulation, the Board of Health and/or it's agent and/or it's designees shall have the authority to examine, survey or take samples of any refuse which is stored, removed, transported or disposed of in the Town of Northborough.

7.2 Criminal Penalties

Any person, firm or corporation violating any of the provisions of this section shall be fined up to a maximum of one thousand dollars (\$1,000.) for each offense, and a separate offense shall be deemed committed on each day on which a violation occurs or continues.

7.3 Non-criminal Penalties

As an alternative to criminal prosecution in some cases, the Board of Health may elect to utilize the non-criminal disposition procedure set forth in Massachusetts General Laws, Chapter 40, Section 21D. For the purpose of this provision, the penalty to apply in the event of a violation shall be as follows: \$50.00 for the first offense, \$100.00 for the second offense and \$300.00 for each subsequent offense. Each day on which a violation exists shall be deemed a separate offense.

8. EFFECTIVE DATE

These Regulations shall be effective January 1, 2003

Glenn French
Chairman

Frederick Mottle
Member

Daniel Gillingham
Member

Dated: January 1, 2003
Board of Health
Northborough, Massachusetts