

**BOARD OF HEALTH REGULATIONS FOR LICENSED TRASH HAULERS
FOR COLLECTION OF
SOLID WASTE AND RECYCLABLE MATERIALS.**

I. AUTHORITY:

The Board of Health for the Town of Salisbury, Essex County, Massachusetts, in accordance with the authority granted under §31 and §31B of Chapter 111 of the General Laws of the Commonwealth of Massachusetts, hereby adopts the following regulation at a meeting of the Board of Health, October 18, 2011.

II. EFFECTIVE DATE:

The regulation shall take effect on the date of publication. Other local Board of Health regulations inconsistent with these regulations shall be superseded by these regulations.

AMENDMENT TO CHAPTER 5 SECTION 5
of the Salisbury Board of Health Regulations

5.5.003 PERMITS FOR SOLID WASTE COLLECTION:

- 1) Any person as defined under Chapter 1, Section 1.1.007, entity or businesses collecting, removing, transporting and disposing of solid waste, trash, refuse, garbage, offal or other offensive substances in the Town of Salisbury (hereinafter referred to as a “solid waste hauler”) shall obtain a permit to do so from the Salisbury Board of Health.
- 2) The permit shall be valid for one calendar year from January 1st through December 31st of each year, unless revoked or suspended sooner by the Board of health. The initial permit application and future permit applications are subject to review and approval by the Board of Health. Permits shall not be transferable unless a transfer of permit is approved pursuant to Chapter 1, §1.9.002.
- 3) Each applicant shall submit to the Salisbury Board of Health a completed application to become a licensed solid waste hauler including but not limited to the following:
 1. A list of all areas of town to be serviced including the day, time, and frequency of collection
 2. An estimate of solid waste tonnage to be collected daily and an estimate of recyclable tonnage to be collected daily
 3. A written process for resolving complaints, disputes, or permit violations
 4. A written educational plan to notify residents that recycling is required to comply with the State of Massachusetts waste bans enforced by the Massachusetts Department of Environmental Protection. This plan must be approved by the Health Department. These documents shall be submitted with the permit application and approved by the Health Department.
 5. Provide the point of disposal for solid waste and recyclable materials
- 4) All solid waste haulers collecting from any business and commercial institutions, residents and other entities shall provide collection of solid waste and recyclable materials in the Town of Salisbury to allow compliance with the Commonwealth of Massachusetts Department of Environmental Protection Waste Bans, pursuant to 310CMR 19.017, and the Town of Salisbury Solid Waste Regulations. For the purpose of this regulation incineration of waste is not considered recycling. This provision shall be effective January 1, 2012, regardless of the status of the solid waste hauler’s application for a license.
- 5) Submitted applications which fail to include all information required by the Board of Health shall be deemed incomplete and shall be denied.

- 6) The application fee set by the Board of Health in accordance with its fee schedule shall be submitted with the applications.

5.5.004 REPORTS AND COLLECTION TIMES

- 1) All solid waste haulers shall submit every six (6) months, reports listing the residential tonnage of trash and recyclables that has been collected. The biannual reports shall include copies of weight slips or vendor receipts to support the tonnage documented. The report shall be submitted to the Salisbury Board of Health six (6) months from the application approval date.
- 2) The collection of residential homes shall be made Monday through Saturday between the hours of 7:00 A.M. to 6:00 P.M. No pick-ups outside this time frame will be allowed without prior approval from the Board of Health.
- 3) A copy of permits must be kept on all collection vehicles at all times while operation in the Town of Salisbury.

5.5.005 PENALTIES:

Failure to comply with this regulation or provide the information required by this regulation may result in the suspension, modification, or revocation of a permit. Failure to comply with any of the other provisions of this regulation may result in the suspension, modification or revocation of a permit, or other punishment as allowed by law or regulation. Police officers may enforce this regulation by use of non criminal disposition process pursuant to Chapter 1, §19 of the Salisbury Board of Health Rules and Regulations.

III Hearing

Any person aggrieved by the enforcement of this regulation may request a hearing before the Board of Health, in writing, within seven (7) days of the date of the notice of such enforcement action.

IV Severability

If any of the provisions of this regulation are deemed invalid, the remaining provisions thereof shall not be affected thereby and shall continue in full force and effect.

Effective: October 24, 2011

Salisbury Board of Health