

Office of
BOARD OF HEALTH
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Rehoboth, MA 02769



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TOWN OF REHOBOTH DUMPSTER POLICY

1. Definitions:

- A. BOH: The Rehoboth Board of Health or its agent or designee
- B. BOS: The Rehoboth Board of Selectmen or its agent or designee
- C. Dumpster: Any container (other than a conventional trash can or two-wheel cart with lid) used for the outside storage of garbage, rubbish, or refuse of any sort.
- D. Dumpster Company/Corporation: Any individual, partnership, corporation, association, or other legal entity that contracts or requests for the installation, maintenance, or servicing of a dumpster.
- E. Town Way: The entirety of the layout of any way/street/road under the control of the Town of Rehoboth.
- F. Traveled Way: The portion of the way, generally paved or gravel, which would normally be used for vehicular/pedestrian travel.

2. Licensing of Dumpster Companies/Contractors/Waste Haulers

- A. In accordance with, and under the authority granted by the General Laws of the Commonwealth of Massachusetts, Chapter 111, Sections 31A and 31B, no company/contractor shall supply a dumpster or rubbish removal service in the Town for the purpose of storage, removal, or transportation of rubbish, garbage, offal and other materials and substances without first obtaining a Rubbish Haulers Permit from the BOH.

3. Dumpster Location,

Per the Board of Selectmen, under their authority to enforce the General By-Laws of the Town of Rehoboth, No Dumpster shall be located upon any Town Way. This does not apply to two-wheel trash or recycling carts with lids, being of no more than 100-gallon capacity. Such carts may be placed **No Closer Than One (1) Foot** to the edge of pavement/traveled way and may be placed no sooner than 24 hours before scheduled pickup and must be removed no later than 24 hours after pickup.

See General By Laws, Chapter B, Article 1, Section 7, "No person other than a town agent shall place or cause to be placed on any public sidewalk, street, or highway, or upon any of the commonlands of the Town, any manure, gravel, dirt ashes, wood, lumber, buildings, carriages, boxes, barrels, stones, coal or any rubbish, or other things, and suffer the same to remain thereon for more than 24 hours after being notified by a police officer to remove the same. No person shall throw, place or cause to be thrown or placed upon any street, sidewalk or highway

in the Town, any stones, hoops, boards, or any wood with nails projecting therefrom, shavings, sawdust, manure, nails, spikes, screws, glass tin cans, filth, rubbish or any noxious or refuse or other liquid or solid matter or substances."

4. Dumpster Use for All Dumpsters within the Town of Rehoboth

- A. The company/contractor supplying the dumpster shall have the company name and business telephone number conspicuously displayed on the dumpster.
- B. The dumpster company/contractor shall always provide dumpsters in good working order.
- C. The dumpsters shall be rodent proof.
- D. The Contractor shall have the dumpster(s) deodorized, washed and/or sanitized as necessary at the time of emptying or at the direction of the BOH.
- E. The emptying of the contents of the dumpster(s) by the contractor shall not commence before 7:00am and cannot continue after 7:00pm. The BOH may modify these hours if in reasonable judgement the BOH is convinced that the public health and safety or public welfare would be better served, and a nuisance would not be created. The BOH shall be guided in the regard by the location, proximity to residential property, frequency of emptying, resulting noise, receipt of complaint and or other factors deemed appropriate.
- F. Each dumpster shall be located at a BOH and BOS approved distance from the lot line and street line so as not to interfere with the safety, convenience or health of an abutter, or safe use of any town roadway.
- G. Dumpster locations may be subject to Rehoboth Conservation Commission regulations.
- H. It shall be the responsibility of the **Person** whose property is being serviced to maintain the dumpster area free from odors, scattered or windblown debris, overflow and all other nuisances including, but not limited to, rodents.
- I. It shall also be the responsibility of the **Person** whose property is being serviced by the dumpster(s) to always maintain the lid(s) in a closed condition except when in the process of placing in or removing refuse from the dumpster.
- J. No dumpster shall be used to dispose of hazardous or biomaterials as defined by local, State and/or Federal regulations.

5. Policy Application, Modifications, Suspension, Penalties, and Revocation

- A. If corrective action as ordered by the BOH or agent is not taken by the **Person**, whose property is being serviced, or by the **Dumpster Company**, within the time set forth by such order, the BOH may order the Dumpster Company to remove the Dumpster from the site and/or may suspend or revoke the Dumpster Company permit or take such legal action as necessary to correct the violation.

6. Severability

- A. If any provision of this policy is held to be unconstitutional or in violation of State Law, it shall not affect any other provision of the administration thereof.

7. Date of Effect

This policy was adopted by the Rehoboth Board of Health on January 23, 2024.

 Rachel Smith, Chairman

 Katie Eyer, Vice-Chair

 George Kellum IV

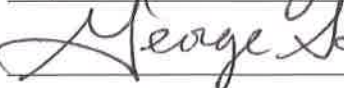
 Mark Hass

 Gary Zimmer

Endorsed by Rehoboth Board of Selectmen on 1/29 2024.

 Frederick Vadnais, Chairman

 Leonard Mills Jr, Vice-Chair

 George Solas

 Michael Deignan

 Robert Johnson

This policy will take effect thirty days (30) after final signatures on 2/29 2024.