

# City of Malden Massachusetts



## Section 4.

### Dumpsters and the Removal & Transportation of Garbage, Rubbish, Offal and other Substances . In accordance with and under the authority granted by Chapter III, Sections 31, 31A, & 31B and Chapter 40 Section 21D of the General Laws.

Reg # 1 These regulations shall apply to all dumpsters in the City of Malden whether for residential, commercial or industrial use. These regulations may be enforced by the Board of Health, its agents servants or employees .

Reg # 2. All Dumpsters must have a Board of Health approved enclosure unless a variance is requested and granted by the Board of Health in accordance with Regulation 16 of this Section.

Reg #3. All Dumpsters with enclosures shall consist of a fence or approved screening that obscures the view of the Dumpster from all sides. The minimum height of these enclosures is six feet. The enclosure must have one vehicle gate and one pedestrian opening. All Dumpster enclosure gates are to be closed when dumpster is not in use. All Dumpsters must be installed on a pad of concrete or asphalt, which is sloped to drain to a proper drain.

Reg # 4. All aspects of the enclosure must be maintained in proper condition and working order.

Reg # 5. If a Dumpster has been deemed a nuisance or has repeated fines under these regulations the Board of Health may : Order a Dumpster enclosed or screened, the Dumpster location changed, the Dumpster size changed, additional weekly pick – ups or that the Dumpster be removed.

Reg # 6. Each Dumpster and its enclosure must be located at a distance from the lot line as not to interfere with the safety, convenience or health of abutters or residents. Dumpster and Dumpster enclosure locations must be approved by the Board of Health.

Reg # 7 Each Dumpster must be situated so as not to obstruct the flow of pedestrian or vehicle traffic, must be at least 15 feet from a residential dwelling and must not pose a fire hazard as determined by the Malden Fire Department.

Reg # 8. Dumpsters are not to be filled between the hours of 11:00 P.M. and 7:00 A.M. in residentially zoned areas. Dumpster on commercial property can not be filled after the close of the business.

Reg # 9. It shall be the responsibility of the dumpster permit holder to maintain the dumpster and the dumpster area free of all nuisances including, but not limited to, flies, insects, scattered debris, overflowing conditions, missing lids / doors and leaking fluids.

Reg # 10. Each Dumpster must be of sufficient size and capacity to eliminate overflowing. All Dumpster lids and enclosure gates are to be closed and locked when Dumpster is not in use. Routine weekly scheduled pickups shall be mandatory for all Dumpsters. The Board of Health its agents servants or employees can order the dumpster size changed, additional collections or the dumpster removed when nuisance conditions exist or for repeated violations of these regulations.

Reg # 11. All Dumpster Contractors in the City of Malden must apply for and receive a Permit to Transfer & Transport Solid Waste. *Use the attached form for Permit Application.*

Reg # 12. All Dumpster Contractors must have each Dumpster marked with the name of the company and a company telephone number.

Reg # 13. The Dumpster Contractor shall have the Dumpster deodorized when emptied or if necessary, washed, steamed or sanitized within the time limit specified by the Board of Health or it's agents, servants and employees.

Reg # 14. The Dumpster Contractor shall not cause nor allow spillage during removal or transportation of any garbage, rubbish, offal or other offensive substance on to the ground, streets or storm drains.

Reg # 15. Dumpsters contractors are not allowed service Dumpsters anywhere in the city prior to 7:00 A.M. Monday through Friday, 8:00A.M. on Saturdays and no later than 8: 00P.M. Monday through Saturday. No Dumpsters are to be serviced on Sunday or holidays

Reg # 16. VARIANCE

All variance requests to the Board of Health must be in writing. The Board of Health may vary the application of any provision of Regulation 21 with respect to any particular case when, in its opinion, the enforcement would compromise or be detrimental to the public health, safety or welfare, be manifestly unjust or if in the Boards opinion a condition exists that precludes the proper application of the regulation.

Any variance granted by the Board of Health shall be in writing to the applicant and shall become public record to be placed on file at the Office of the City Clerk. Any variance granted shall also be subject to suspension, modification or revocation only after the holder is notified in writing and given an opportunity to be heard.

Forms for this hearing can be obtained in Room 517 , Government Center within 7 days of receipt of the suspension, modification or revocation of the variance. Once the appeal is received by the clerk of the Board of Health all concerned parties will be notified in writing of the hearing date, location and time. The Board of Health shall schedule this hearing within 30 days of receipt of the request.

Reg # 17. ENFORCEMENT

Agents and employees of the Board of Health have the power to enforce the provisions of this regulation. Violation of this ordinance may also be enforced in the manner provided under Massachusetts General Laws Chapter 40, Section 21D and shall punishable as follows:

- (a) first offense                      warning
- (b) second offense                    \$ 50.00 fine
- (c) third offense                     \$100.00 fine
- (d) subsequent offenses            not less than \$100.00 nor more than \$300.00.

Each twenty-four hour period during which a violation exists shall constitute a separate offense, and a separate and additional fine shall be imposed.

Malden Government Center  
Two Hundred Pleasant Street  
Malden, Massachusetts 02148

# City of Malden Massachusetts



( 781 ) 397-7049

## City of Malden Board of Health

### Application for Permit to Transfer & Transport Solid Waste

In accordance with Section 17 of the Malden Board of Health Rules & Regulations and Chapter 9 of the City of Malden Solid Waste Ordinance

Date \_\_\_\_\_

App. For Transfer

App. For Transport

Name of Organization \_\_\_\_\_

Address \_\_\_\_\_

Mailing Address ( if different ) \_\_\_\_\_

Phone # \_\_\_\_\_ FAX # \_\_\_\_\_ E-Mail Address \_\_\_\_\_

Name & Title of Applicant \_\_\_\_\_

Name of Owner ( if different from applicant ) \_\_\_\_\_

If a corporation or partnership, give name title & home address of officers or partners.

Name	Title	Home Address	Telephone #

SSN # or Federal I.D. # \_\_\_\_\_

I certify under the penalties of perjury that all information furnished in this application is true to the best of my knowledge . I have read and understand all provisions of the Malden Board of Health Rules and Regulations, Section 17, Malden Board of Health Dumpster Regulations and the City of Malden Solid Waste Ordinance provided with this document.

\_\_\_\_\_  
Signature of Individual / Corp. Name

by \_\_\_\_\_  
Corporate Officer ( if applicable )

\*\*\*\*\* Please staple all required lists to this document and return.