City of Medford

Regulation 5: Solid Waste and Recyclable Removal/ Septic/ Offal/ Medical Waste/ Grease Rendering/Hazardous Waste, Transportation and Dumpster Permitting & Operation Regulations

I. Authority

These regulations shall be effective on and after the publication date and shall remain so until modified or amended by the City of Medford Board of Health. They are enacted under authority which includes, but is not limited to, Massachusetts General Laws, Chapter Il l , Section 31, and 31B, 310 CMR (Code of Massachusetts Regulations) I l .02, and 310 CMR 19.00 et seq.

These regulations also establish minimum requirements for the systematic collection of Solid Waste and Recyclables in order to promote waste reduction, comply with State-mandated Waste Bans (310 CMR 19.017), and further the goals of the City of Medford. The Board of Health of the City of Medford adopts these regulations under the provisions of Chapter 111 Sections 31, 31A, 31B, 122 and 150A of the Massachusetts General Laws. Private Haulers shall only collect for disposal those items acceptable for disposal. Materials banned from disposal under 310 CMR 19.017 shall not be included with Solid Waste

The Board of Health regulations are an exercise of power under which the various levels of government are responsible for protection of the public health, safety, welfare, and the environment

II. Purpose

These regulations of the Board of Health have been enacted for the purpose of protection of the citizens of the City of Medford and also the protection of the public health and the environment.

The goal of these regulations is to also ensure that all Private Haulers collecting Solid Waste and Recyclables adhere to the Massachusetts Waste Ban regulations and uniformly comply with permit requirements established by the City of Medford. This should ensure that:

- The environmental benefits of recycling are maximized;
- There is joint enforcement of the Waste Ban requirements by the municipality and all Private Haulers operating within the municipality;
- There are fair and equitable rules for all Private Haulers operating in the municipality;
- All residents and businesses have convenient (parallel) access to recycling collection services;
- All Private Haulers licensed to operate in a municipality are in compliance with state regulations (310 CMR 19.017);

- There is greater consistency across municipalities to promote clear operating guidelines for Private Haulers; and,
- Municipalities and Private Haulers work together to support the goals of the Solid Waste Master Plan and the Global Warming Solutions Act.

III. Effective Date

These regulations shall take effect on September 19, 2024.

IV. Definitions

For the purposes of this regulation, the following words and phrases shall have the following meaning unless the content clearly indicates otherwise:

ABUTTER means the owner of land sharing a common boundary or corner with the site of the proposed activity in any direction, including, but not limited to, land located directly across a street, way, creek, river, stream, brook, or canal.

ADVERSE IMPACT means an injurious impact which is significant in relation to the public health, safety, or environmental interests being protected.

CITY shall mean the City of Medford

COMMERCIAL CUSTOMERS/GENERATORS shall mean property owners and occupants of any commercial, industrial, institutional, municipal, school, or mixed-use building within City of Medford.

CONSTRUCTION AND DEMOLITION WASTE means the waste building materials and rubble resulting from the construction, remodeling, repair or demolition of buildings, pavements, roads, or other structures. Construction and demolition waste includes but is not limited to concrete, bricks, lumber, masonry, road paving materials, rebar, and plaster. They may not have paint or be impregnated with any substance. The rubble shall not be mixed with or contaminated by any other wastes or debris.

CUSTOMER shall mean either Residential Customer/Generator or Commercial Customer/Generator.

FACILITY means an established site or works, and other appurtenances thereto, which is, has been or will be used for the handling, storage, transfer, processing, treatment, or disposal of solid waste including all land, structures and improvements which are directly related to solid waste activities.

FOOD MATERIAL means source separated material produced from human food preparation and consumption activities at homes, restaurants, cafeterias, or dining halls which consists of fruits, vegetables and grains, fish and animal products and byproducts, and soiled paper unsuitable for recycling.

HANDLING AREA means an area used for the transfer, storage, processing, or treatment of solid waste, excluding weigh stations or access roads.

HANDLING FACILITY means any facility that is not a disposal facility, for example transfer stations, storage facilities and other facilities used primarily for the storage , processing, or treatment of solid waste. ("Handling facility" including recycling facilities and composting facilities that are required to obtain a site assignment pursuant to 310 CMR 16.05)

HAZADOUS WASTE shall mean any waste that is defined and regulated under 310 CMR 30.00.

INFECTIOUS WASTE means "Infectious Waste or Physically Dangerous Medical or Biological Waste" as defined in 105 CMR 480.000, Department of Public Health, State Sanitary Code and includes: blood and blood products; pathological waste; cultures and stocks of infectious agents and associated biologicals; contaminated animal carcasses, body parts and bedding; sharps; and biotechnological by-product effluents.

LEAF and YARD WASTE shall mean any deciduous and coniferous seasonal deposition, grass clipping, weeds, hedge clippings, garden materials and brush.

MERCURY DISPOSAL PROHIBITION shall mean Disposal Prohibition Provision of the Mercury Management Act (Chapter 190 of the Acts of 2006). Effective May 1, 2008, mercury-added products cannot be disposed of in Solid Waste. The law also prohibits any Solid Waste collector from collecting as Solid Waste the contents of a Solid Waste container that the collector knows (or reasonably should know) includes one or more mercury-added products. Details may be found at this link: https://www.mass.gov/doc/faq-on-mercury-containing-product-disposal-ban/download

PERMIT HOLDER shall mean any person(s) or company which has applied for and obtained the appropriate permit to collect and transport solid waste and/or Recyclables**,** Septic/ Offal/ Medical Waste/ Grease Rendering/Hazardous Waste within the limits of the City of Medford

PERMITTED HAULER shall mean any Private Hauler who has obtained a valid Private Hauler permit from the City of Medford.

PERSON(S) means any individual, partnership, association, firm, company, corporation, department, agency, group, public body, (including a city, town, district, county, authority, state, federal, or other governmental unit) or any other entity responsible in any way for an activity subject to 310 CMR 16.00, but not including an agency of the Commonwealth

PRIVATE HAULER shall mean any person or entity providing collection of Solid Waste/ Recyclables/Septic/ Offal/ Medical Waste/ Grease Rendering/Hazardous Waste for hire within the City of Medford.

PRIVATE WATER SUPPLY means a well used as a source of drinking water supplying a nonpublic water system with any volume of groundwater from any source.

RECYCLABLES shall mean a material that is banned from disposal in the Commonwealth of Massachusetts pursuant to 310 CMR 19.017: Waste Bans. Mixed paper, cardboard, glass, metal, and plastic containers are priority materials of this regulation.

REFUSE COLLECTION VEHICLE shall mean any vehicle used for the delivery and transportation of Solid Waste/Recyclables/Septic/ Offal/ Medical Waste/ Grease Rendering/Hazardous Waste. Said vehicle shall be in a safe, clean condition and in good repair.

RESIDENTIAL CUSTOMERS/GENERATORS shall mean property owners and occupants of single and multi-family dwellings, condominiums, public housing, and mobile homes within the City of Medford.

SOLID WASTE shall mean useless, unwanted or discarded non-recyclable solid and liquid wastes, excluding items restricted from disposal in Massachusetts, as defined by Table 310 CMR 19.017(3) of the Massachusetts' Solid Waste regulations (310 CMR 19.017).

SOLID WASTE MANAGEMENT FACILITY (see "Facility")

STORAGE means the temporary containment of solid waste or compostable or recyclable materials in a manner which does not constituting disposal.

STORAGE FACILITY means a handling facility where solid waste is temporary stored in a manner that does not constitute disposal.

TEMPORARY PORTABLE SANITATION UNITS means that they are to be used only in construction sites, outdoor festivals, and events, etc. for a period of not to exceed 90 days in any 365-day period.

TRANSFER STATION means a handling facility where solid waste is brought, stored, and transferred from one vehicle or container to another vehicle or container for transport off-site to a solid waste treatment, processing, or disposal facility

WASTE BAN MATERIALS shall mean all materials designated as banned from disposal in the Commonwealth of Massachusetts pursuant to 310 CMR 19.017 (see https://www.mass.gov/regulations/310-CMR-19000-solid-waste-facility-regulations).

WATERSHED means that area defined by 310 CMR 22.02, Drinking Water

V. Mandatory Recycling

In order to protect the environment, promote recycling and be in compliance with Massachusetts Waste Ban regulations (310CMR 19.017); the City of Medford hereby establishes a requirement for mandatory separation of Recyclables from the Solid Waste stream. This requirement applies to all Residential Customers/Generators and Commercial Customer/Generators in the City of Medford. The City of Medford will inform all generators (residential and commercial) and Private Haulers at least once per year that recycling is mandatory. These regulations are intended to support and align with the City of Medford's Mandatory Recycling ordinance.

VI. Permit Required

All Private Haulers wishing to collect, transfer, or transport Solid Waste/ Recyclables/ Septic/ Offal/Medical Waste/Grease Rendering/Hazardous Waste generated within Medford shall be required to first obtain or annually renew a permit from the City of Medford. These persons or firms shall collect only household rubbish, nonrecyclable paper, garbage, and other permitted Solid Waste/Recyclables/Septic/Offal/Medical Waste/Grease Rendering/Hazardous Waste materials from residential households, municipal establishments, or commercial/industrial customers in the City of Medford. The Solid Waste/ Recyclables/ Septic/ Offal/Medical Waste/Grease Rendering/Hazardous Waste shall be removed to an approved location or facility in accordance with these rules and regulations, as well as all other applicable rules and regulations

No Private Hauler may collect Solid Waste/ Recyclables/ Septic/ Offal/Medical Waste/Grease Rendering/Hazardous Waste unless they have obtained a valid Private Hauler Permit from the City of Medford Board of Health.

No permit shall be transferable.

A. Permit Application

The City of Medford Boad of Health shall determine the requirements for permit applications, annual permitting fees, and other such procedures by regulation.

The permit application shall include the formal name of the person or company; a statement that the person or company is registered to do business in Massachusetts and that the person or company is fully insured; and contact name, address, and telephone number.

Copies of certificates of insurance for public liability and property insurance also shall be included.

The permit application must include a statement that the Private Hauler understands and is in compliance with the Massachusetts Waste Bans and Mercury Disposal Prohibition.

The Private Hauler shall list the disposal facilities and/or the Recycling processing facilities where Solid Waste/Recyclable/ Septic/ Offal/ Medical Waste/ Grease Rendering/Hazardous Waste**,** are expected to be delivered from Private Hauler's Customers during the permit year. The application shall be signed by a designated representative of the company, permitted to do business within the Commonwealth of Massachusetts.

The application shall include information on the types of services intended to be offered, and the approximate number of collection trucks expected to be used in the municipality during the course of the permit year.

The application shall include information on how the Private Hauler intends to ensure that Customers prevent Waste Ban materials from being disposed with Solid Waste, and how the Private Hauler intends to notify Customers of improper Recycling or Solid Waste disposal.

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B. Annual Permit Renewal

Each Permitted Hauler shall annually submit a renewal application of his/her permit no later than the 1st of March in advance of the March 31 permit expiration date, by paying the annual permit fee

Annual permits will be issued by the 1st of April each year. The permit will be valid for a period of not more than one (1) year.

Private Haulers of Solid Waste/Recyclables annual renewal application must indicate any changes from the original permit, including any change in Solid Waste or Recyclables facilities used, and must be signed by a business owner. The renewal must be accompanied by the following information or a completed Annual Solid Waste and Recyclables Reporting Form:

1. Total tons of Solid Waste collected for disposal and total tons of Recyclables collected for processing from Residential Customers/Generators within the City of Medford during the previous calendar year or 12-month period. (In the case where the Permitted Hauler delivers loads for disposal or recycling that are combined with more than one municipality, then the Permitted Hauler must provide their best estimate of tonnage delivered from the City of Medford.)
2. The average number of Residential and Commercial Customers using each service (Solid Waste, Recycling) during the previous calendar year within the City of Medford.
3. The names of any Commercial Customers where the Permitted Hauler provides Solid Waste only service.
4. The names of any Commercial Customers where the Permitted Hauler is providing Recycling only service.
5. Copies of any Waste Ban violation letters or notices received by the Permitted Hauler during the prior year that refer to loads collected within the City of Medford.

6. Failure to provide a complete and accurate Annual Solid Waste and Recyclables Reporting Form may be grounds for denial of a permit to operate within the City of Medford.

C. General Permit Requirements

All Permitted Haulers must be in compliance with the following general permit requirements:

1. All Permitted Haulers must clearly display the name of the company on each vehicle operating in the municipality.
2. All Permitted Haulers must be in compliance with applicable federal, state and local laws.
3. Each vehicle must meet all Department of Transportation safety requirements at all times.
4. All materials must be securely contained in the vehicle. Littering or leaking shall be considered a violation of the permit. Refuse, which is spilled, shall be immediately picked up by the PERMIT HOLDER and removed with other wastes.
5. The PERMIT HOLDER shall deliver all Solid Waste/Recyclab1es/Septic/Offal/Medical Waste/Grease Rendering/Hazardous Waste collected within the corporate limits of the City of Medford to a licensed Solid Waste/Recyclables/Septic/Offal/Medical Waste/Grease Rendering/Hazardous Waste resource recovery plant or approved sanitary landfill.
6. Recyclables shall not be commingled with Solid Waste when collected by the Permitted Hauler. Recyclables must be delivered to a processing facility designed to accept Recyclables. The Permitted Hauler shall inform Customers how to prepare acceptable Recyclables consistent with the requirements of the Recyclables processing facility.
7. Permitted Haulers shall only collect for disposal Solid Waste which is not banned from disposal. It is the responsibility of the Permitted Hauler to educate the Customer about the Waste Bans and inform them that they will refuse to collect Solid Waste mixed with Waste Ban items that are visible to the driver/collector from any of their Customers (there is no requirement to open bags). Please refer to the list of Waste Ban items which may not be accepted at Massachusetts' disposal facilities.
8. In the event that the Permitted Hauler refuses to collect any materials, the Permitted Hauler will notify such Customers in writing of the reason(s) for refusal to collect the Solid Waste or Recyclables. In addition, the Permitted Hauler will advise the Board of Health about Customers who have received rejection notices. The Board of Health will, where possible, assist the Permitted Hauler with enforcement of the Mandatory Recycling provision and/or Waste Ban requirement.
9. INSURANCE
    a) a).Each applicant shall furnish the Board of Health certificates from an insurance company licensed to do business in the Commonwealth of Massachusetts showing the applicant carries Public Liability and Property Insurance.
    b) Certificates of Insurance's shall be furnished each year upon renewal of permit.
    c) b). The applicant shall make certain that the above insurance policy is not cancelled prior to notification of the Board of Health. This notification shall be not less than thirty (30) days prior to such cancellation.
10. Each applicant shall certify that the company operates in compliance with the Massachusetts Waste Ban regulations and the Mercury Disposal Prohibition.
11. Each Solid Waste/Recyclables Hauler shall confirm that the company is in compliance

with the Bundled Service requirement outlined in City Solid Waste Ordinance Chapter 70, Sections 70-74 and City of Medford Regulation 5.

12. Each Solid Waste/Recyclables Hauler shall attach a copy of their notification that will go to Customers who set out visible Waste Ban Materials mixed with Solid Waste, including a reminder that recycling is mandatory, describing what was seen that violated the Waste Bans, and providing a phone number for the Board of Health
13. Each Solid Waste/Recyclables Hauler must submit a Recycling Service Exemption Form to the Medford Board of Health for each customer and customer location that is not using the Hauler's recycling services.
14. Each Solid Wast/Recyclables Hauler shall confirm that employees understand and will help educate all Customers about the Massachusetts Waste Bans.
15. Each applicant shall attach a copy of vehicle registration(s)
16. Each applicant shall provide a list of customer account names, addresses and frequency of pick-up or service.
17. Each applicant shall provide a contract or account verification from each disposal site. A recent invoice/bill(s) may be submitted.

The PERMIT HOLDER is allowed the right to appear before the City of Medford Board of Health at a hearing to discuss its application by filing such hearing request in writing with the Board.

VII. Bundled Service Requirement

A. Service to Residential Customers/Generators

For ***Residential Customers/Generators***, the bundled service must provide Customers with Solid Waste and Recyclables collection at a rate that reflects the cost of providing both services. Solid Waste and Recycling services must be provided by the same Permitted Hauler unless otherwise pre-approved by the Board of Health. The Permitted Hauler may itemize the invoice to clearly show the cost of Recycling collection contained in the bundled service.

All Permitted Haulers serving Residential Customers/Generators must provide appropriately sized, paired Solid Waste and Recyclables containers that are clearly marked and adjacent or in close proximity to each other.

B. Service to Commercial Customers/Generators

For ***Commercial Customers/Generators,*** the Permitted Hauler must provide both Solid Waste and Recyclables collection unless the Customer can provide proof to the Permitted Hauler that separate Recycling services are provided by another Permitted Hauler or via one of the methods listed on the Recycling Service Exemption Form. The Solid Waste Hauler must submit a Recycling Service Exemption Form to the Medford Board of Health for each customer and customer location that is not using the Solid Waste Hauler's recycling services.

Permitted Haulers may charge separately for the collection of Recyclables. Commercial Customers/Generators may choose to contract for collection of Recyclables by a second Permitted Hauler that only performs Recyclables collection.

Permitted Haulers that collect only Recyclables are not required to collect Solid Waste.

Permitted Haulers must provide the names and addresses of their Solid Waste only Commercial Customers to the City so the City can follow up to ensure that those Customers are complying with the Waste Bans.

VIII. Permit Fees

1. The Medford Board of Health sets the permit fee at their discretion.
2. The non-refundable permit fee must accompany the application.
3. The fee is per Private Hauler.
4. The non-refundable permit fee is $250.00

IX. Inspection

The Board of Health reserves the right to inspect collection vehicles and loads at reasonable times in order to ensure that they comply with all applicable state and local laws, by-laws, and regulations.

The Board of Health or its designee is authorized to inspect a Permitted Hauler's truck and load at any time. The Board of Health also has the right to require weight slips or confirmation of disposal of Solid Waste or management of Recyclables.

IX. Enforcement

A. Hauler Permit Requirements

The individuals empowered to enforce the provision of these regulations shall be the Agent of the Board of Health, any member of the Board of Health.

Any violation of these regulations or any other applicable laws or regulations by the PERMIT HOLDER will be grounds for suspension, modification, or revocation of said permit.

The Board of Health shall issue a notice of violation to the Permitted Hauler and provide the Permitted Hauler seven (7) business days to respond to the allegations of non-compliance with any section of this regulation. Failure to respond shall be grounds for revocation of the Permit in accordance with the hearing provisions below. The individuals empowered to enforce the provisions of this regulation shall be the Agent of the Board of Health and any member of the Board of Health.

If the Permitted Hauler does not respond within seven (7) days, the Board of Health shall hold a public hearing, subject to MGL Chapter 111 Section 127B. If the Board of Health determines that the Permitted Hauler is in violation of this Permit, then the Board may either provide the Permitted Hauler with an order to fix the problem and/or suspend the Permit until the Permitted Hauler demonstrates to the Board's satisfaction that the Permitted Hauler will be in compliance with this regulation.. In the event that a Permitted Hauler fails to follow this regulation, the Board of Health reserves the right to impose reasonable fines or take other action in accordance with State and local regulations.

B. Mandatory Recycling Requirements for Generators

Enforcement of this regulation shall be by criminal complaint in the district court and/or non-criminal disposition ticket MGL Chapter 40, Section 21D. DPW or Solid Waste Administrators, Inspectional Services, and Agents of the Health Department or their designees shall have the power to enforce the provisions of this regulation. The City of Medford shall also have the option of seeking equitable relief to enjoin violations of the rules and regulations of the Health Department.

Enforcement of this ordinance shall be by criminal complaint in the district court and/or non-criminal disposition ticket pursuant to M.G.L. Chapter 40, Section 21D. The City of Medford Board of Health or their designees shall have the power to enforce the provisions of this ordinance. The City shall also have the option of seeking equitable relief to enjoin violations of the rules and regulations of the City of Medford Board of Health.

C. Penalties

Any Permitted Hauler or Generator that fails to follow requirements of this regulation shall be subject to the imposition of reasonable fines and/or the revocation of their permit to operate within the City by the City of Medford Board of Health, subject to the Appeal Provisions described in subsection (B) of this section.

1. First offense: $50
2. Second offense: $100
3. Third and subsequent offenses: $200 per day, not exceeding $1,000. Each day shall constitute a separate violation.

Each day of failure to comply with the regulations shall constitute a separate violation.

D. Appeal Provisions

Any Permitted Hauler cited for a violation of these regulations may appeal such citation by filing a written notice of appeal with the Board of Health within seven (7) days, exclusive of Saturdays, Sundays and legal holidays, from the date of said citation. A hearing will be held within 60 days from the date of the filing of the appeal. Written notice of the hearing date will be delivered to the applicant at least two (2) weeks prior to the scheduled date. The hearing will be conducted in accordance with the established procedures of the Board of Health.

X. Dumpster Management

a). Each dumpster must be located at a distance from the lot line so as not to interfere with the safety, convenience or health of abutters or residents. Dumpster locations must be approved by the Board of Health.

b). Each dumpster must be situated so as not to obstruct the flow of traffic.

c). When deemed necessary by the Board of Health, it may be required that a dumpster site be enclosed or screened by the property owners or authorized agent.

d). Dumpster is not to be filled between the hours of 11:00 p.m. and 7:00 a.m. in residentially zoned areas nor after the close of the business day for all types of business properties. All lids are to be closed and locked when the dumpster is not in use.

c). Each dumpster must be of sufficient size and capacity to eliminate overflowing. Routine weekly scheduled pickups shall be mandatory for apartment buildings.

1). The property owners, tenant, occupant, or authorized agent of the premises utilizing the services must notify the contractor at least twenty-four (24) hours in advance for an additional call-in for pickup which may be necessary to prevent overflowing.

g). Whenever and for whatever reasons deemed necessary including repeated violations, the Board of Health may order dumpster capacity size changes and/or additional pickups.

h). The property owner, tenant, occupant, or authority agent utilizing a dumpster service must make known to the Board of Health the name and telephone number of the person responsible for maintaining the dumpster and dumpster area and notifying contractor to empty contents when full. Any changes in the name of person(s) shall be reported to the Board of Health immediately.

i). It shall be the responsibility of the property owner, tenant, occupant, or agent being serviced to maintain the dumpster and dumpster area free of all nuisances including but not limited to flies, insects, scattered debris, and overflowing conditions.

j). The property owner, tenant, occupant, or other authorized agent responsible for maintaining the dumpster service is required to have a permit from the Board of Health for each dumpster per the City of Medford Board of Health Regulation 6.

k). The Contractor shall have his or its name and telephone number conspicuously displayed on the dumpster.

I). No Contractor shall remove dumpster contents prior to 7:00 a.m. nor later than 8:00 p.m.

m). Temporary dumpster permits (roll-off or gondola type) will be issued to a property owner, tenant, occupant, or authorized agent for a period of time not to exceed 30 days in connection with construction, demolition, fairs, carnivals, or for other similar temporary needs. Said permits may be renewed for an additional 30-day period upon application. The property owner, tenant, occupant, or authorized agent shall comply with all the provisions of these regulations, which are applicable to the operator of the dumpster. There shall be a fee of $50.00 payable for each temporary dumpster permit. Permanent or long-term use dumpster fee is $100.00, renewed every April 1st. No dumpster may be placed on the city streets without first obtaining permission from the Department of Public Works.

n). The dumpster Contractor shall have the dumpster deodorized when emptied or if necessary, washed, steamed, or sanitized as directed by order of the Board of Health.

o). The Contractor shall not cause nor allow spillage during removal or transportation of any garbage, rubbish, or other offensive substance.

p). Permanent Requirements of Integrated Pest Management Plans.

All permits issued by the Health Department for dumpsters on residential and commercial property will be subject to a separate fee designated for rodent control. Such fees are to be set by the Medford City Council and reviewed every three (3) years. Dumpsters associated with building projects for which the building permit rodent control fee has been assessed are exempt from this additional fee.

In addition to the fee required above, dumpster permits will require the implementation of an Integrated Pest Management Plan as a condition of the permit. IPM Plans must be submitted to the Health Department and updated annually before a permit is issued by the Health Department.

Responsibility for pest prevention and management remains with the PERMIT HOLDER, even when a commercial service is part of the permit holder's IPM program. Requirements under the Rodent Control Ordinance 858 must include:

1. Names and certifications of licensed pest control operators. An Initial survey by a licensed pest control operator documenting presence or absence of rodent activity,

burrows, and sanitation conditions that could support rodent activity on the site and accessible public areas adjacent to the site.

2. Detailing about rodent control measures to be implemented on the site, including locations of traps and bait stations, types and amounts of pesticides used, scheduled for follow-up monitoring, cleanup of bait stations and rodent carcasses, staff training and notification procedures, and management of sources of food, water, and harborage on the site, including vegetation management.
3. Procedures for responding to rodent complaints associated with the site, including name and contact information for management-level individual to respond to complaints.

XI. Transfer Stations

Transfer stations are not allowed in the City of Medford without approval of the Board of Health and permitting from the Commonwealth of Massachusetts

XII. Grease Trap Pumping

1. Grease Traps must be pumped, at a minimum, every ninety (90) calendar days.

2. The Hauler shall submit a Service Report to the Medford Board of Health for each cleaning within 10 days of the service.

3. Customers may apply to the Medford Board of Health for a variance extending the 90 day requirement. Variances shall be approved or denied at a Medford Board of Health Board Meeting.

XIII. Portable Sanitation Units (Portable Toilets/Temporary Septic)

a). Units are to be temporary (i.e. construction sites, at outdoor festivals and events, etc.) for no longer than 90 days in a 365-day period.

b). Units must be placed in a location that does not cause a nuisance (including but not limited to odors and insects/pests to the general public and /or abutters. They may not be placed on or within a City right of way (roadway).

c). Units intended to service a large number (i.e. carnivals, festivals) must be cleaned and serviced daily. All other units must be serviced as needed, but not less than once per week. Units must be cleaned and serviced and/or removed upon the direction of the Medford Board of Health, based on receipt and inspection of a complaint to the Board of Health.

d). Units must be clearly marked with the company name and telephone number for servicing.

c). Haulers must be permitted by the Medford Board of Health to supply Temporary Potable sanitation units within the City of Medford,

XIV. Indemnification:

a). PERMIT HOLDERS may enter into arrangements for the collection of Solid Waste/Recyclab1es/Septic/Offal/Medical Waste/Grease Rendering/Hazardous Waste with individual residents, the municipality, and commercial/industrial customers of the City, in which the PERMIT HOLDER will be paid directly by the customer. The City shall have no liability for payment to the PERMIT HOLDER for any residential or commercial/industrial collection and disposal work that is not included in the City's contract.

b). The PERMIT HOLDER shall take all responsibility for the work and take all reasonable precautions for preventing injuries to persons or damage to property. The PERMIT HOLDER shall bear all losses resulting to the collection company on account of the quantity or character of the work. The PERMIT HOLDER shall assume the defense of a and indemnify and hold harmless the City of Medford, its officers, agents and servants from all claims relating to labor and materials furnished to the work, and for all injuries to any person or corporation received or sustained by or from the PERMIT HOLDER and employees doing the work, in consequence or any improper materials, implements or labor used therein; and to any act, omission or neglect of the PERMIT HOLDER and its employees.

c). The PERMIT HOLDER agrees to indemnify the City for any liability that may arise from the improper treatment, storage, or disposal of hazardous wastes collected within the City.

XV. Suspension Modification or Revocation of Permits

a). Any Solid Waste/ Recyclables/ Septic/ Offal/Medical Waste/ Grease Rendering/Hazardous Waste collection permit may be suspended, modified, or revoked by the Board of Health upon receipt of evidence satisfactory to the Board that the PERMIT HOLDER has not conformed to the requirements of these regulations, or to any applicable state or federal statute, regulation, rule or order regarding the collection, transportation, or disposal of Solid Waste/ Recyclables/ Septic/ Offal /Medical Waste/ Grease Rendering/Hazardous Waste. In the event that Board of Health, agents, servants, or employees deem that the health, safety, or welfare of the occupants or residents of the City of Medford is jeopardized, and that any emergency exists, it may order all dumping terminated, and the dumpster removed, pending hearing. The PERMIT HOLDER will receive three days written notice, sent by certified, registered mail or constable service, to the last known address of the alleged violator, notifying them of permit suspension, revocation, or modification by the Board of Health, its agents, servants, or employees for the failure of the dumpster contractor, owner, tenant, occupant, or agent to comply with the conditions and requirements of these regulations; and the dumpster may be ordered to be removed.

b). Appeals of such suspensions, modification or revocations may be directed in writing to the Board of Health within ten (10) business days of said suspensions, modification, or revocations.

XVI. Fines and Penalties

a). Any person whether contractor, owner, tenant, occupant, or agent being serviced or other person or company who shall violate any provision of these regulations, and upon written notification by the Board of Health does not comply with the order or causes or allows repeated violations shall be punished by a fine.

These regulations may be enforced by the Medford Board of Health through Ticket Enforcement under M.G.L. c. 40 s 21D:

Fine Schedule:

First offense, fifty dollars ($50.00);

Second offense, one hundred dollars ($100.00);

Third and subsequent offenses, two hundred dollars ($200.00) but not more than One thousand dollars ($1000.00), with each day constituting a separate violation

b) Each day's failure to comply with an order shall constituting a separate violation.

XVII. SEVERABILITY

a) Each of these regulations shall be construed as separate to the end that, if any regulations, clause, or phrase thereof, should be held invalid for any reason, the remainder of the regulations and all other regulations and all other regulations shall continue to be forced.

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