

**TOWN OF CARLISLE
HAULER REGULATIONS
July 1, 2023**

I. PURPOSE

This regulation is intended to control the removal, transportation and disposal of refuse, garbage, offal, and other offensive substances in the Town of Carlisle 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.

II. AUTHORITY

The Board of Health of the Town of Carlisle adopts these regulations under the provisions of Chapter 111 Sections 31, 31A, 31B, 122 and 150A of the Massachusetts General Laws.

III. DEFINITIONS

Waste – As used herein shall mean refuse, rubbish, trash, and garbage, including recyclables, or products without inherent value.

IV. PERMIT

All persons collecting and hauling waste in the Town of Carlisle shall obtain a permit from the Board of Health. Permits shall expire at the end of the calendar year in which they are issued. No permit shall be transferable except with the approval of the Board of Health.

As part of the application each applicant shall submit to the Board of Health a list of customers served in Town. The application shall include a process in which the licensed establishment or individual will resolve complaints. Any application which fails to include all the information requested shall be deemed incomplete and shall be denied.

Transporters of waste simply moving it through Town must register with the Board of Health.

V. OPERATIONS

Removal and disposal of waste shall comply with 310 CMR 19.00 Solid Waste Management.

The hauler shall provide recycling to all generators, residential and commercial as a bundled service. 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.

Town of Carlisle
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Mandatory recycling by all generators. In order to protect the environment, promote recycling and be in compliance with Massachusetts Waste Ban regulations (310CMR 19.017); the Town of Carlisle 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 Town of Carlisle.

Each waste container and its contents shall be the responsibility of the container owner. Containers shall not be put out prior to the day of collection.

All waste containers including dumpsters belonging to a waste hauler shall be clearly labeled with the name and telephone number of the waste hauler. In addition, each shall be labeled with a unique identifier. The waste hauler shall keep a log of each container showing the location of the container, the size of the container, the type of waste (e.g. mixed waste, mixed recyclables, sorted recyclables and type (plastic, paper etc.)) collected, the user, date emptied, date of any service/sanitation.

Waste containers except construction dumpsters shall be covered at all times and the area maintained in a clean and sanitary manner. Construction dumpsters shall not be used for household waste or food waste.

VI. ENFORCEMENT

The Board shall investigate violations of these regulations and may take such actions as the Board deems necessary for the protection of public health and the enforcement of these regulations. Any member of the Board of Health or its agents, or other person designated by the Board of Health may enforce this section. Any violation or failure to provide information as required by this regulation, the Department of Environmental Protection regulations, or the Mass General Laws by the permitted waste hauler shall be grounds for suspension, modification, or revocation of the permit.

Violators of this code at a minimum shall receive a warning from the Board of Health. Such warning shall be deemed an "Order to Correct." The intention is to bring operations with minimal infractions into compliance. Willful and repeat violators may be subject to enforcement and penalties including permit revocation pending review by the Board of Health.

VII. PENALTIES

Any person who the Board of Health finds in violation of these regulations or who fails to comply with any order by the Board of Health to remedy such violation shall be subject to a fine of **\$100.00** dollars for each day such violation exists.

VIII. VARIANCE

The Board may, after a public hearing, grant a variance to the application of these regulations. Every request for a variance shall be made in writing and shall state the specific variance sought and the reasons, therefore. No work shall be done under any variance until thirty (30) days elapsed from its issuance, unless the Board certifies in writing that an emergency exists.

IX. SEVERABILITY:

If any provision of these regulations or the application thereof is held to be invalid by a court of competent jurisdiction, the invalidity shall be limited to said provision(s) and the remainder of these regulations shall remain valid and effective.

CARLISLE BOARD OF HEALTH

Adopted: June 21, 2023

Effective: July 1, 2023