

HOUSE No. 3612

The Commonwealth of Massachusetts

PRESENTED BY:

David K. Muradian, Jr., (BY REQUEST)

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to the permit for removal or transportation of refuse.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Luke Soojian</i>		<i>1/18/2019</i>
<i>Daniel Cahill</i>	<i>10th Essex</i>	<i>2/1/2019</i>

HOUSE No. 3612

By Mr. Muradian of Grafton (by request), a petition (accompanied by bill, House, No. 3612) of Luke Soojian and Daniel Cahill relative to board of public health permitting for removal or transportation of refuse. Public Health.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-First General Court
(2019-2020)**

An Act relative to the permit for removal or transportation of refuse.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 31A of chapter 111 of the General Laws, as appearing in the 2016
2 Official Edition, is hereby amended by striking out the first paragraph and inserting in place
3 thereof the following paragraph:-

4 No person shall remove or transport garbage, offal or other offensive substances or
5 deliver or install dumpsters throughout the commonwealth without first obtaining a permit from
6 the board of health of the city or town in which the person’s place of business is located. Said
7 permit shall authorize said person to remove or transport garbage, offal or other offensive
8 substances or deliver or install a dumpster throughout the commonwealth, and no other permit
9 shall be required; provided, that nothing in this section shall exempt a person from obtaining a
10 street occupancy permit as may be required by law, regulation, ordinance or by-law for the
11 delivery or installation of a dumpster on a public way, provided, that a person shall not be
12 required to obtain such street occupancy permit for the delivery or installation of a dumpster at a

13 private residence so long as the dumpster is delivered or installed on private property and not on
14 a public way. Said person shall remove and transport said substances, and deliver and install
15 said dumpsters, in accordance with state and federal laws and regulations; provided that no state
16 or local rules or regulations shall restrict the hours of the day when garbage, offal or other
17 offensive substances may be collected in areas zoned for business, commercial or industrial use.
18 An application for a permit from the board of health to transport garbage, offal or other offensive
19 substances or deliver dumpsters pursuant to this section shall be in such form and contain such
20 information, on oath, as such board shall require. Said permits shall expire at the end of the
21 calendar year in which they are issued, but may be renewed annually on application as herein
22 provided; provided further, that said permit shall cost no more than \$150 annually. No permit
23 shall be transferred except with the approval of the said board.

24 SECTION 2. The second paragraph of said section 31A of said chapter 111, as so
25 appearing, is hereby amended by striking out the first sentence.

26 SECTION 3. Section 31B of said chapter 111, as so appearing, is hereby amended by
27 striking out the first sentence.