

# City of Boston Public Works Department Regulations Regarding Transportation of Refuse and Dumpsters

## 23-1 Transportation of Refuse:

No person, other than employees of the City or of a contractor acting for the City while engaged in public work, shall transport or carry refuse in, upon or through any street except in accordance with a permit from the Commissioner of Public Works, who shall forthwith revoke such permit if the permittee transports or carries to any refuse disposal incinerator constructed, maintained and operated by the City any refuse originating outside the City. The word "refuse," as used in this paragraph, shall be construed to include rubbish, ashes, nonputrescible industrial wastes, and street cleanings, but not garbage, offal or other offensive substances coming within Sections 31a and 31b of Chapter 111 of the General Laws.

No person shall deposit or dump any house-dirt, house-offal, or other refuse matter, except in a place approved by the Board of Health and Hospitals, or place outside of any building or premises for removal any light refuse or rubbish that is likely to be scattered or blown about, unless the same is properly packed, bundled, or otherwise secured.

(CBC 1975 Ord. T14 264; Recodified by Ord. 1991 c. 5 28)

No person shall, in or upon any way, street, alley, or other public place within the City, nor in or upon any estate within the City, maintain a dumpster so-called, being a device used or intended for the storage of one cubic yard or more of trash, rubbish, construction debris, or the like, unless the same is maintained agreeably to any regulation promulgated by the Commissioner of Public Works nor unless bearing a number issued by the said Commissioner to the owner of the dumpster, initially, upon payment of a filing fee of ten (\$10.00) dollars plus two (\$2.00) dollars per dumpster.

(Ord. 1986 c. 15 2; Recodified by Ord. 1991 c. 5 28)

### 1.1 Authority:

#### **1.1.1 .CITED.**

These regulations are promulgated pursuant to authority of City of Boston Code, Ordinances, Title 14, section 264a.

### 1.2 Scope:

#### **1.2.1 .APPLICATION.**

Regulations apply to all dumpsters as defined by ordinance whether used on private or public property, and shall be observed by the owner, lessee, servicer and all other persons involved with the use and maintenance of any dumpster within the City.

#### **1.2.2 .INCORPORATION IN CONTRACTS.**

The provisions of these regulations shall be incorporated into every contract for lease or servicing of a dumpster in such fashion as to make all of the parties aware of these requirements.

### **1.2.3 PUBLIC WAY DEFINED.**

The term "public way" as used herein shall include a public way, sidewalk, public alley, parkway, park road, highway, or other way open to public travel.

### **1.3 Dumpsters Categorized:**

#### **1.3.1 Restriction On Use.**

A dumpster shall be used only for one of four categories of use as hereinafter defined, and no person shall employ the use of a dumpster to contain any material not listed in the uses for its category as listed below.

#### **1.3.2 .CATEGORY "C" USES ALLOWED:**

construction debris, paper products, inert plastics, automobile parts, furniture, appliances, machinery, brick, tile, asphalt, cement and bituminous concrete, sand, soil, rock, inorganic manufacturing waste and wood, shrubs and brush, but excluding materials included in category 'D'.

#### **1.3.3 .CATEGORY 'H' USES ALLOWED:**

waste arising out of the normal use and occupation of a residential structure, including ashes, garbage, papers, cartons, food containers, boxes, rags, excelsior, tires, bicycles, wall paper, dead animals weighing two pounds or less, leaves, bottles, cans, furniture (including mattresses and springs) and appliances which are neither over two cubic yards in volume nor over two hundred pounds in weight, doors, screens, storm windows, christmas trees, shrubs, brush, lumber and wood not exceeding six feet in any dimension and plaster not exceeding sixty pounds when the same is the product of the householders' work and not the work of a builder or tradesman, but excluding materials included in category "D'.

#### **1.3.4 .CATEGORY "B" USES ALLOWED:**

all materials included in "C" and "H", organic manufacturing waste, commercial and business trash including animal and vegetable parts, but excluding materials included in category 'D'.

#### **1.3.5 .CATEGORY "D" USES ALLOWED:**

materials which are hazardous, volatile, highly inflammable, radio- active, or otherwise dangerous, including asbestos fibers, infectious waste, all petroleum based distillates, liquids, gasses and suspensions, alcohol based liquids, and any other material which, under any federal, state, or city enactment must be disposed of in any manner other than by being placed in a sanitary landfill.

#### **1.3.6 .CATEGORY 'B' SIZE RESTRICTIONS:**

no category b dumpster located on a public way shall be larger than a '2 yard' dumpster with the dimensions of 63" long x 36' wide x 50' high.

### **1.4 Regulations Applicable To All Categories:**

#### **1.4.1 .REGISTRATION REQUIRED.**

Every dumpster shall be registered annually with the Commissioner of Public Works upon payment of the fee established by ordinance, who shall, when the same is initially registered, issue to it a distinctive number which shall consist of two parts, the first identifying the owner of the dumpster, and the second, separated by a dash, being assigned ad seriatim for each owner.

#### **1.4.2 .REGISTRATION NUMBER TO BE DISPLAYED.**

Every dumpster shall be marked in two places, in a color contrasting with the dumpster with the distinctive numerals issued to it by the said Commissioner with the letter identifying its category preceding the number, all such numbers and letters to be at least three inches in height, located with the top of each such letter and numeral four inches from the top of, and at the extreme right of the longest and the shortest side of the dumpster.

#### **1.4.3 .CONSTRUCTION.**

Every dumpster shall be constructed of at least twelve gauge steel, except,  
[a] covers on dumpsters of six cubic yards or less capacity may be made of sixteen gauge or more steel, and,  
[b] dumpsters of two or more cubic yards in capacity shall have a container floor of at least seven gauge steel.

#### **1.4.4 .DRAINS.**

All drains shall be kept closed except during cleaning of the dumpster.

#### **1.4.5 .TIMES RESTRICTED.**

No dumpster shall be transported, emptied or serviced between the hours of 11:00 P.M. and 7:00 A.M. On any day, nor shall any mechanical, hydraulic or electrical loader, compactor, packer or conveyor be utilized during such hours, all unless the Commissioner of Public Works in his sole discretion, for good cause shown, shall permit.

#### **1.4.6 .OVERFILLING.**

No dumpster shall be filled to within four inches from the top of the dumpster.

#### **1.4.7 .RODENTS AND PESTS.**

No dumpster shall at any time contain any live rodent, vermin or insect.

#### **1.4.8 .ANCILLARY USE OF WAY.**

No dumpster shall be filled by means of a chute, conveyor, belt, or other device, located in, above, on or across a public way, nor by dropping or throwing items in, above, on or across a public way, without a permit for occupation of the way leaving first been obtained for such purpose from the authority authorized to issue permits for such occupation.

#### **1.4.9 .LOCATION.**

No dumpster shall be located on any property without permission of the owner or person in charge thereof first having been obtained.

#### **1.4.10 .APPLICATION OF REGULATIONS.**

Nothing in these regulations shall be Deemed or taken to authorize any activity otherwise prohibited by any public enactment.

#### **1.4.11 .MARKINGS REQUIRED.**

Every dumpster shall have one or more signs of a color contrasting with the dumpster containing works of the import that the same is dangerous, children should be kept away, and forbidding play in, on, or about the dumpster.

#### **1.4.12 .RECORDS REQUIRED.**

Every person leasing or servicing a dumpster shall keep a record of the physical location of each such, including the registration number thereof and the owner or lessee as the case may be, and shall make such record available to the COMMISSIONER of PUBLIC WORKS, any police officer and any special police officer, on demand.

#### **1.4.13 VIOLATIONS.**

Pursuant to City of Boston Code, ordinances, title 14, sections 264a and 372, as amended, the penalty for each violation of these regulations shall be a fifty (\$50.00) dollar fine. Furthermore, any violation of these regulations continuing after notice shall be grounds for revocation of the registration.

### **1.5 Regulations Applicable To Category "C" Dumpsters:**

#### **1.5.1 .LOCATION.**

No such dumpster shall be located in a public way without a permit for occupation of the way first having been obtained from the authority authorized to issue permits for the same.

#### **1.5.2 .TRANSPORTATION.**

No such dumpster while containing any material whatsoever shall be transported or emptied unless covered with canvas, metal, or other suitable material so arranged as to prevent any dust, dirt, or other materials from falling from it or being blown about.

### **1.6 Regulations Applicable To Category "H" Dumpsters:**

#### **1.6.1 .LOCATION.**

No such dumpster shall be located in a public way without a permit Issued by the Commissioner of Public Works.

#### **1.6.2 .COMMERCIAL OBJECTS PROHIBITED.**

No such dumpster shall at any time contain materials arising from any business, occupation or commercial activity, nor any material from any household not located in the City of Boston.

#### **1.6.3 .CONSTRUCTION.**

Every such dumpster shall be constructed and maintained so as to be leak proof and shall be equipped with a close fitting permanently attached metal cover which shall be kept fully closed except when the same is being loaded or unloaded. No cover shall be deemed closefitting unless the force of gravity, and/or a latch provided and in service keeps the same fitting so no gap between the cover and frame exceeds on one-half inch.

#### **1.6.4 .CLEANING.**

Every such dumpster shall be washed clean at least monthly and as needed to prevent odor from escaping from the same.

#### **1.6.5 .SIZE AND TYPE.**

Every such dumpster shall be of the so-called 'rear loading' design and none shall exceed six cubic yards capacity.

### **1.7 REGULATIONS APPLICABLE TO CATEGORY "B" DUMPSTERS:**

#### **1.7.1 .LOCATION.**

No such dumpster shall be located in a public way without a permit issued by the Commissioner of Public Works.

#### **1.7.2 .CONSTRUCTION.**

Every such dumpster shall be constructed and maintained so as to be leak proof and shall be equipped with a closefitting permanently attached metal cover which shall be kept fully closed except when the same is being loaded or unloaded. No cover shall be deemed closefitting unless the force of gravity, and/or a latch provided and in service keeps the same fitting so no gap between the cover and frame exceeds one-half inch.

#### **1.7.3 .CLEANING.**

Every such dumpster shall be washed clean at least monthly and as needed to prevent odor from escaping from the same.

### **1.8 Regulations Applicable To Category "D" Dumpsters:**

#### **1.8.1 .LOCATION.**

No such dumpster shall be located in a public way without a permit issued by the Commissioner of Public Works.

#### **1.8.2 .CONSTRUCTION.**

Every such dumpster shall be constructed and maintained so as to be leak proof and shall be equipped with a closefitting permanently attached metal cover which shall be kept fully closed except when the same is being loaded or unloaded. No cover shall be deemed closefitting unless the force of gravity, and/or a latch provided and in service keeps the same fitting so no gap between the cover and frame exceeds one-half inch.

#### **1.8.3 .LOCK REQUIRED.**

Every such dumpster shall be securely locked to prevent unauthorized access.

#### **1.8.4 .COLOR AND MARKINGS.**

Every such dumpster shall be of the color red and shall, in addition to other required markings, be labeled in white letters no less than three inches in height: 'WARNING--CONTAINS HAZARDOUS OR DANGEROUS MATERIALS' on the two longest sides.

**1.8.5 .OTHER LICENSES REQUIRED.**

Every such dumpster shall have all appropriate licenses and equipment for the material to be contained and shall be maintained agreeably to every law, rule, and requirement imposed by any public authority with respect to the material contained.

**1.9 Effective Date, Duration:**

**1.9.1 . ESTABLISHED.**

These regulations shall take effect as of September 1, 1986 and shall continue in force until amended repealed or rescinded.