

HOUSE No. 1971

By Mr. Marzilli of Arlington, petition of J. James Marzilli, Jr., for legislation to regulate trash collection hours in business, commercial and industrial areas. Municipalities and Regional Government.

The Commonwealth of Massachusetts

In the Year Two Thousand and Seven.

AN ACT TO ALLOW THE REGULATION OF TRASH COLLECTION HOURS IN BUSINESS, COMMERCIAL AND RESIDENTIAL AREAS.

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

1 Chapter 111 is hereby amended by striking out Section 31A, as
2 appearing in the 2002 Official Edition, and inserting in place thereof
3 the following section:—

4 Section 31A. (a) A person shall not remove or transport garbage
5 or refuse through the streets of a city or town without applying for
6 and obtaining a permit from the board of health of the city or town.

7 (b) At the end of a calendar year, a permit holder who intends to
8 continue removing and transporting garbage or refuse in the suc-
9 ceeding year shall apply for renewal of the permit. A person shall
10 not transfer a permit without the approval of the board that issued
11 the permit.

12 (c) A board shall specify the form and required information for
13 permit applications. A board may by rule or regulation restrict the
14 hours of the day when a permit holder may collect garbage or refuse
15 in areas zoned for residential, business, commercial or industrial use.

16 (d) A person may, without a permit, transport garbage or refuse
17 through the streets of a city or town in which the substances were
18 not collected. A person involved in such transport shall register with
19 the board of health of the city or town, and shall transport the sub-
20 stances in accordance with reasonable regulations that the board of
21 health may establish.

22 (e) A city or town's board of health shall not regulate motor vehi-
23 cles owned by the Commonwealth or any of its political subdivi-
24 sions or motor vehicles engaged under contract with the

25 Commonwealth in the transportation of garbage or refuse. A city or
26 town may recommend to the department of highways, in writing, an
27 alternate route of travel for these motor vehicles to minimize or
28 abate the noise or nuisance incident to travel. The department shall
29 consider alterations or changes in the travel routes of these motor
30 vehicles in an effort to minimize noise or nuisance.