

## **Sanitary Regulations (City Ordinances and State Regulations)**

### **Sec. 26-33. Litter to be placed in receptacles so as to prevent scattering.**

Persons placing litter in public receptacles or in authorized private receptacles shall do so in such a manner as to prevent it from being carried or deposited by the elements upon any street, sidewalk or other public place or upon private property.

(Rev. Ords. 1988, § 7-57)

### **105 CMR 410.600: Storage of Garbage and Rubbish**

(A) Garbage or mixed garbage and rubbish shall be stored in watertight receptacles with tight-fitting covers. Said receptacles and covers shall be of metal or other durable, rodent-proof material. Rubbish shall be stored in receptacles of metal or other durable, rodent-proof material. Garbage and rubbish shall be put out for collection no earlier than the day of collection.

(B) Plastic bags shall be used to store garbage or mixed rubbish and garbage only if used as a liner in watertight receptacles with tight-fitting covers as required in 105 CMR 410.600(A), provided that the plastic bags may be put out for collection except in those places where such practice is prohibited by local rule or ordinance or except in those cases where the Department of Public Health determines that such practice constitutes a health problem. For purposes of the preceding sentence, in making its determination the Department shall consider, among other things, evidence of strewn garbage, torn garbage bags, or evidence of rodents.

(C) The owner of any dwelling that contains three or more dwelling units, the owner of any rooming house, and the occupant of any other dwelling place shall provide as many receptacles for the storage of garbage and rubbish as are sufficient to contain the accumulation before final collection or ultimate disposal, and shall locate them so as to be convenient to the tenant and so that no objectionable odors enter any dwelling.

(D) The occupants of each dwelling, dwelling unit, and rooming unit shall be responsible for the proper placement of his garbage and rubbish in the receptacles required in 105 CMR 410.600(C) or at the point of collection by the owner.

### **Sec. 26-34. Depositing in gutter, street or other public place; duty of abutting property owners to keep sidewalk and gutter clean.**

(a) No person shall sweep into or deposit in any gutter, street or other public place within the city the accumulation of yard waste (leaves, grass or twigs) or litter from any building or lot or from a public or private sidewalk or driveway.

(b) Persons owning or occupying property shall keep the sidewalk and gutter in front of their premises free of litter and yard waste.

(Rev. Ords. 1988, § 7-58; Ord. No. 1994-33, 12-20-1994)

### **Sec. 26-40. Duty of property owners to keep premises free of litter and weeds.**

(a) The owner or person in control of any private property shall at all times maintain the premises free of litter; provided, however, that this section shall not prohibit the storage of litter in authorized private receptacles for collection.

(b) The owner or person in control of any vacant lot shall, at all times, maintain the premises free of litter and control the growth of any wild plants or the existence of any obstruction so as not to interfere with the general view of the people from the windows of the buildings abutting thereto, excluding basement windows; provided, however, that this section shall not prohibit the storage of litter in authorized private receptacles for collection.  
(Rev. Ords. 1988, § 7-69)

**105 CMR 410.600: Storage of Garbage and Rubbish**

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(B) Plastic bags shall be used to store garbage or mixed rubbish and garbage only if used as a liner in watertight receptacles with tight-fitting covers as required in 105 CMR 410.600(A), provided that the plastic bags may be put out for collection except in those places where such practice is prohibited by local rule or ordinance or except in those cases where the Department of Public Health determines that such practice constitutes a health problem. For purposes of the preceding sentence, in making its determination the Department shall consider, among other things, evidence of strewn garbage, torn garbage bags, or evidence of rodents.

(C) The owner of any dwelling that contains three or more dwelling units, the owner of any rooming house, and the occupant of any other dwelling place shall provide as many receptacles for the storage of garbage and rubbish as are sufficient to contain the accumulation before final collection or ultimate disposal, and shall locate them so as to be convenient to the tenant and so that no objectionable odors enter any dwelling.

(D) The occupants of each dwelling, dwelling unit, and rooming unit shall be responsible for the proper placement of his garbage and rubbish in the receptacles required in 105 CMR 410.600(C) or at the point of collection by the owner.

**Sec. 34-282. Allowing premises to be or become infested.**

It shall be unlawful for the owner or occupant of any premises within the city to maintain the premises in a vermin-infested or rat-infested condition, or permit any such premises to become infested with vermin or rodents.

(Rev. Ords. 1988, § 9-127)

**Sec. 34-288. Deposit of unsanitary waste, refuse or other rat harborage.**

No person shall throw, place or deposit or permit any person under his control or employment to throw, place or deposit any putrid substance, night soil, filth of any kind, garbage, rubbish, refuse piles, old lumber or other rat harborage or any unwholesome material in or upon any private lot or public ground within the city without the consent of the board of health.

(Rev. Ords. 1988, § 9-132)

**Sec. 62-39. Time of placing receptacles for collection.**

Receptacles shall be placed on the outer edge of the sidewalk after 4:00 p.m. the evening before the day of collection. The receptacles must be removed from the street by 5:00 p.m. on the day following the day of collection.

(Rev. Ords. 1988, § 7-35; Ord. No. 1993-23, 10-26-1993)

**Sec. 66-32. Duties of abutting property owners regarding snow and ice on sidewalks.**

(a) No owner or tenant of any estate abutting on a sidewalk shall place or suffer to remain for more than five hours between sunrise and sunset any snow upon such sidewalk, or any ice upon such sidewalk unless such ice is made reasonably even and covered with sand, salt or other acceptable material to prevent slipping; nor shall any person place any ice or snow in a street outside of the sidewalk unless the ice or snow is made reasonably even at the time of placing. For the purposes of this section, sidewalks shall include wheelchair ramps extending from the sidewalk to the street.

(b) Whoever violates the provisions of this section shall be punished by a fine not exceeding \$50.00 for each offense, and not only the person actually doing the prohibited thing, but also his employer and every other person concerned in so doing, shall be punished by such fine.

(Rev. Ords. 1988, § 18-5; Ord. No. 1994-7, 4-26-1994)

**State law references:** Removal of snow from sidewalks, etc., M.G.L.A. c. 85, § 5.

[Writer's Note: Due to the adoption of the non-criminal procedure, violation of this ordinance shall result in a \$100.00 fine.]

**105 CMR 410.500: Owner's Responsibility to Maintain Structural Elements**

Every owner shall maintain the foundation, floors, walls, doors, windows, ceilings, roof, staircases, porches, chimneys, and other structural elements of his dwelling so that the dwelling excludes wind, rain and snow, and is rodent-proof, watertight and free from chronic dampness, weathertight, in good repair and in every way fit for the use intended. Further, he shall maintain every structural element free from holes, cracks, loose plaster, or other defect where such holes, cracks, loose plaster or defect renders the area difficult to keep clean or constitutes an accident hazard or an insect or rodent haborage.