

**Town of West Springfield**  
**Rubbish and Recycling Regulations**  
**Department of Public Works**

**5-7-07**

**Section 1. Purpose**

In order to ensure that waste materials, as in hereafter defined, are disposed of in an environmentally responsible manner, these regulations are intended to provide for the systematic collection of rubbish and recyclables in order to promote recycling, to comply with state-mandated waste bans, and to assist in cost reduction of residential rubbish disposal by diverting those items from the waste stream that can be managed more effectively.

**Section 2. Applicability**

The following regulations shall apply to owners, property managers and tenants of all residential structures, including multi-family, and businesses in the Town of West Springfield. These regulations also apply to waste haulers duly licensed by the Health Department.

**Section 3. Definitions**

- A. Acceptable Waste - Shall mean mixed household and commercial solid waste (including trash, refuse and rubbish) generated in West Springfield that has the characteristics of solid waste normally generated by residences, stores, other commercial establishments, schools and offices; provided that under no circumstances shall such waste include Waste Ban Materials or Unacceptable Waste.
- B. Bulky Waste - Can be considered any waste item that will not fit in a bag or barrel. Examples of bulk waste include but are not limited to: bedsprings, mattresses, couches, furniture, pool covers, children's pools, grills, and appliances.
- C. Business - Any non-profit or for profit entity.
- D. Disposal Facility – Pioneer Valley Resource Recovery Facility
- E. Hazardous Waste – As defined from time to time pursuant to MGL Ch. 21 C, and regulations promulgated thereunder including household hazardous waste.
- F. Illegal Dumping – Any disposal of recyclables or waste, as defined herein, in violation of the laws of the Commonwealth, ordinances of the Town and the rules and regulations of various departments.
- G. Materials Recycling Facility – Facility located in Springfield, MA that is designed to accept and process recyclables into recovered materials.
- H. Multi-Family Property – All residential dwelling units served by waste management systems other than the Town's contracted service. For purposes of this regulation this designation shall apply to residential buildings, including condominium complexes with four (4) or more residential dwelling units.
- I. Permitted Private Hauler - Any person or business that is duly licensed by the West Springfield Health Department to collect rubbish and recyclables within the Town.
- J. Person – Shall mean an owner, occupant, or property manager of a residential unit, business, condominium, condominium unit or any structure, including guests, employees or agents.
- K. Recyclables – Discarded waste materials that may be reclaimed and are considered marketable for reuse or for recycling after processing.
- L. Residential Units – Structures containing one, two or three family dwelling units.

M. Unacceptable Waste - Means any material which, because of its composition, characteristics, or quantity, may cause injury and damage to the Disposal Facility, or its personnel, or may present a danger to the public's health, safety or welfare or may cause the Disposal Facility to be in violation of any permit, license or approval of any federal, state or local law, regulation or mandate.

Unacceptable Waste shall include, but not limited to:

- 1) Any waste defined as hazardous or radioactive by the U.S. Environmental Protection Agency, or classified as toxic substance or toxic waste in 40 Code of Federal Regulation sections 261.3 (1983), 42 U.S.C. sections 6921-6925 and regulations adopted there under, 42 U.S.C. 6901 et seq., or any successor regulations.
- 2) Any demolition or construction material exceeding fifty (50) pounds in weight or exceeding four (4) feet in any one dimension. Examples of industrial construction and demolition materials which are unacceptable include but are not limited to: boilers, pipes, insulation, plaster, masonry, sheetrock, concrete, bricks, shingles (asphalt or tar).
- 3) Cesspool or human waste, explosives, pathological or infectious waste, road kills.
- 4) Waste Ban Materials.
- 5) Any item of waste exceeding four (4) feet in any one dimension or exceeding fifty (50) pounds in weight and any container weighing more than fifty (50) pounds.
- 6) Any item of waste either smoldering or on fire or at its kindling point or in the process of initiating combustion.

N. Universal Waste- Hazardous waste that has been designated for recycling and reuse. Waste in this category includes but not limited to: fluorescent bulbs, pesticides, batteries, waste oil, paints, and mercury containing products (i.e. thermostats).

O. Waste Ban Materials – Items designated by Mass DEP that includes, but not limited to, lead acid batteries, yard waste, white goods (washers, dryers, etc.), tires (except two tires without rims per household), aluminum containers, metal or glass containers, single polymer plastics, recyclable paper, cathode ray tubes, construction and demolition debris, wood waste.

P. Yard Waste – Leaves, grass, clippings and brush (no logs or stumps).

#### **Section 4. Rubbish Disposal**

A. Residential units shall dispose of their acceptable waste, picked up at curbside, through the Town's collection contractor.

B. The Town's collection contractor will not collect Unacceptable Waste.

C. Businesses and Multi-Family Property - The owner of every business and multi-family property, shall provide for the collection of waste materials in compliance with these rules and regulations and the Town's zoning ordinances. Owners (when applied to condominiums shall mean the Trustees of the association of unit owners) shall provide and keep clean and in good repair, proper and sufficient containers for the storage of acceptable waste. Said containers shall be approved in writing by the Health Department. All acceptable waste on said premises shall be stored in covered receptacles, such as dumpsters. The covered receptacles shall be constructed and maintained so that rubbish is kept within the receptacle and is not blown or otherwise removed from there by wind, animals or other cause, other than for removal by authorized persons. Such owners shall also provide for the collection and removal of such waste at sufficiently frequent intervals

to prevent the creation of a nuisance, or as may be determined by the Health Department, but no less frequently than every two weeks.

- D. Unacceptable waste materials shall not be stored on residential, business and multi-family properties and shall be disposed of in accord with Massachusetts General Laws, Massachusetts Code of Regulations, local ordinances, these rules and regulations.

### **Section 5. Recycling**

A. In order to implement a program of integrated waste management, all generators of waste, excluding businesses, as defined herein, including all residential units, multi-family properties, and all municipal facilities located within the Town, shall separate the following recyclable materials from rubbish for collection and delivery to the appropriate recycling facility:

- 1) Paper products, including newspaper, magazines, corrugated cardboard, boxboard, phone books, "junk mail," and envelopes.
- 2) Plastic bottles and containers labeled #1-7
- 3) Aluminum, metal and glass containers
- 4) Scrap metal, including appliances
- 5) Automotive products including motor oil, antifreeze and car batteries
- 6) Oil based paints and thinners
- 7) Fluorescent bulbs and PCB ballasts
- 8) Cathode-Ray Tube (TVs and computer monitors)
- 9) Re-chargeable and button batteries
- 10) Hazardous Waste
- 11) Construction and Demolition Debris

B. The Town of West Springfield collects waste for recycling from single, two, and three family residential properties, picked up at curbside, through the Town's collection contractor.

C. Persons, other than those listed in B. above, shall provide, keep clean and in good repair, proper and sufficient containers for the storage and collection of recyclables and shall provide for the proper recycling of these recyclable materials.

### **Section 6. Residential Curbside Collection**

Rubbish and recyclables from residential units are collected from the curbside. All items shall be placed as close to the street as possible but not in the street or on the sidewalk. The Town of West Springfield, or its contractor, needs not pickup rubbish, recyclables, etc. that do not conform to this Section.

- A. No person shall place, or cause to be placed, rubbish, recyclables, yard waste, bulky items, and holiday trees for collection on any street, sidewalk, tree belt, driveway apron or other public place prior to 3 PM on the day before collection or later than 7:00 AM on the day of their regular collection.
- B. Reusable rubbish containers, recycling bins and any uncollected items shall be removed from the curbside, tree belt or driveway apron as soon as possible after collection, but in no case later than 1 AM of the following day of scheduled collection.
- C. The tree belt shall not be used as a storage area for rubbish. All rubbish shall be stored in an area so as to be as inconspicuous as possible to the public view.

- D. Containers used for set-out of rubbish shall be no larger than a 48 gallon trash can, with two handles, and not weighing more than 50 pounds when loaded.
- E. There will be no returns to residences that have a late put out.
- F. On an annual basis the Director of Public Works will mail to residents the alterations in the pickup schedule due to holidays.
- G. Household recyclables will be collected at the curb as dictated by the delivery requirements of the Materials Recycling Facility (MRF). Subject to appropriation, residents will be provided with setout containers (bins) to be used for placing MRF eligible recyclables on the curb for collection.

**Section 7. Bulk Waste**

Bulky Waste is considered to be any waste item that will not fit in a 48-gallon bag or 48-gallon barrel. Examples of bulk waste include but not limited to: bedsprings, mattresses, couches, furniture, pool covers, children’s pools, grills, and appliances.

- A. Subject to appropriation, occupants of residential units are allowed to make an appointment for the curbside collection of bulk items with the Town’s contracted service provider. The Town sponsored service will collect from only those households that have scheduled a pickup.
- B. Occupants of residential units shall only be allowed to schedule a bulk collection as determined by the Director of Public Works.
- C. For those with households with municipal collection service, bulk pickups will only be allowed three times per year. The Town’s contractor shall collect no more than 5 items of metal and non-metal combined.
- D. The following appliances: refrigerators, freezers, air conditioners, and dehumidifiers must have Freon (chlorofluorocarbons) removed. Proof of removal must be visibly located on the appliance.
- E. In the absence of funding, the Director of Public Works will provide information for proper disposal.

**Section 8. Residential Yard Waste**

- A. Curbside: Subject to appropriation, curbside yard waste collection will be offered for residential units in the spring and fall. The collection schedule will be publicized on the community television channel and other venues deemed appropriate by the Director of Public Works.
  - 1) Leaves and other yard waste must be placed in paper bags or loosely packed in barrels. Brush must be bundled and each branch must be less than 4” (inches) in diameter (across) and no longer than 4’ (feet). Plastic bags of any type will not be accepted.
  - 2) Subject to appropriation, the collection of holiday trees at the curb will be offered at the end of the holiday season. Plastic bags of any type will not be accepted.

- B. Drop-Off: Subject to appropriation, yard waste may be collected in a drop-off location determined by the Director of Public Works for composting at the Springfield Yard Waste Composting Facility.
  - 1) Yard waste acceptable for drop-off includes leaves, brush, clippings, and grass.
  - 2) Yard waste unacceptable for drop-off includes leaves containing rocks or other debris, logs, stumps or plastic items.
  - 3) Brush must be less than 4" (inches) in diameter and no longer than 4' (feet).
- C. Handling of Yard Waste: All yard waste must be delivered to a properly licensed composting facility or composted on property providing said composting does not create a nuisance to abutting neighbors.

**Section 9. Waste Hauler Permits**

All Permitted Private Haulers providing waste and/or recycling services within the Town shall be licensed by the Health Department and obtain the necessary permit(s). No waste hauler may collect or remove from any premise in the Town any materials that are not properly sorted according to Section 5. Violation of the conditions of the license under these regulations may be grounds for suspension, modification, or revocation of the permit.

**Section 10. Anti-Scavenging**

Upon placement of acceptable waste and recyclables at the curb for collection by the Town and/or the Town's contractor, it shall be a violation of this regulation for any unauthorized person to collect or remove, or cause to be removed, any recyclable or waste material once they have been set out for collection. However, the Health Department may issue permits for the removal of deposit containers from recyclable materials.

**Section 11. Illegal Dumping**

The following activities will be considered illegal and in violation of this regulation:

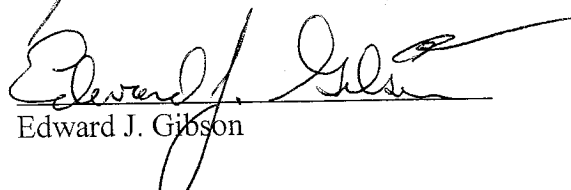
- A. Littering – No person shall throw or deposit or cause to be thrown or deposited any garbage, rubbish or other waste or offensive material upon a street, park or other public or private way, or upon any premises or vacant lot, except an approved disposal area, nor store or keep the same except in containers as required by these regulations.
- B. Theft of Service
  - 1) No person shall discard waste materials into dumpsters or other waste receptacles that are designated for exclusive use by municipal buildings including, but not limited to, schools, municipal offices, and libraries.
  - 2) No person shall discard waste materials into municipal recycling and rubbish disposal receptacles located on public properties including, but not limited to, parks, recreation or rest areas maintained by the Town.
- C. Dumping - No person shall discard, or cause to be discarded, any type of waste material including but not limited to: construction/demolition materials, furniture and appliances, on public or private property that is not appropriately designated or permitted for such activity.

**Section 12. Enforcement**

- A. Any person in violation of this regulation as determined by the Director of Public Works or his designee shall be penalized by non-criminal disposition procedure and subject to a fine of \$100 for the each violation. Each day shall constitute a separate violation.
- B. The above violation shall not apply to residents that put out rubbish and recyclables after 7 AM on collection day. However, in the event of a missed collection, the Town is not responsible to return to the residence that day.
- C. Persons in violation of Section 11.C. will be subject to a fine of \$1,000 per violation.
- D. In addition to the above fines, any person in violation shall pay the costs and expenses incurred by the Town for the removal and disposal of said waste.
- E. Repetitive violations may result in the loss of rubbish and recyclables collection privileges.
- F. Penalties for violation of these regulations shall be enforceable by use of the Municipal Charge Lien Ordinance.

Date May 7, 2007

Approved by DPW Director   
Jack Dowd

Approved by Mayor   
Edward J. Gibson