



Board of Health Meeting

Wednesday, January 17, 2024 at 7:00 PM
Remote Only

Agenda

Pursuant to Chapter 2 of the Acts of 2023, the meeting and public hearing will be conducted with remote opportunities for participation. Remote participation and access methods include:

ACCESS INFORMATION:

- A. This meeting will be held on Wednesday, January 17, 2024 at 7:00 PM. Location: Remote Only
- B. The meeting will be televised through WCATV (Watertown Cable Access Television): <http://vodwcatv.org/CablecastPublicSite/watch-now?site=3>
- C. Public may comment through email: Amyers@watertown-ma.gov
- D. Please Visit the Board of Health Website here: <https://www.watertown-ma.gov/176/Board-of-Health>
- E. Join Zoom Meeting
<https://watertown-ma.zoom.us/j/83188312663>
Meeting ID: 831 8831 2663

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- 1. Call to Order
 - 2. Acceptance of Minutes
 - A. Review of Draft Minutes of December 20, 2023
 - 3. Public Comment
 - 4. Introduction to Dumpster Regulations
 - A. Draft Dumpster Regulations
 - 5. Staffing and Department Updates
 - 6. Items that could not be anticipated before meeting
 - 7. Adjournment

BOARD OF HEALTH MEETING

MINUTES

**The Watertown Board of Health has scheduled a REMOTE ZOOM meeting on
Wednesday December 20, 2023 at 7:00 pm**

PRESENT: Dr. Barbara Beck, Chairman, Richard Arnold and Dr. Dominic Amirtharaj

Staff: Abbey Myers, Acting Director of Health Maureen Foley, Clerk

In attendance: Christopher Bradfield, Auturo Lichavco, Harrison Spect, Aleksandra Petelski, Kathi Breen, Alexandrer Koch

CALL TO ORDER: Dr. Beck called the meeting to order 7:02 pm

Minutes

Minutes were approved for November 15, 2023 meeting,
(Beck, Amirtharaj) (3,0)

Public Comment

No Public Comments

Health Department Permitting

Parallel Squared Technology Institute – 490 Arsenal Way #110

Harrison Spect, Co-Owner gave a short presentation of the company's activities.

Dr. Beck inquired about the use of viruses in brain tissue samples and the vetting process.

Mr. Arnold made a motion to recommend approval of the biosafety permits for PST.

(Arnold, Amirtharaj) (3,0)

Roll Call

Department Update

Ms. Myers stated the Food Establishments are close to catching up with all the inspections. The health department has approximately 15 establishments left to be inspected. Ms. Myers has developed Dumpster Regulations that are being reviewed by management.

The Health Department will be moving to the City Hall Annex (Old Parker School) in February. The public health nurse is updating the Emergency Dispensing Plan in order to cover a larger range of hazards.

Next Meeting

January 17, 2024

Adjourn:

(Amirtharaj, Arnold) (3,0)

All in favor.

Roll Call

Adjourned the meeting at 7:35 PM

DRAFT

City of Watertown

BOARD OF HEALTH

Regulation Regarding the Use of Dumpsters and Waste Hauling

Section 1: Authority

The Board of Health, City of Watertown, Massachusetts, acting under the authority of G.L. c. 111, sections 31A and 31B of the General Laws and amendments and additions thereto, and by any other power thereto enabling, has duly made and adopted the following Regulation. This regulation will become effective XXXX.

Section 2: Purpose

The purpose of these regulations is to reduce the possibility of nuisance, management of rodent populations and health risks associated with the improper use of dumpsters for rubbish and garbage disposal.

Section 3: Applicability

This regulation shall apply to all businesses, residents, and contractors using dumpsters for garbage and rubbish disposal within the City, and waste haulers.

Section 4: Definitions

- 1) Board of Health means the appropriate and legally designated health authority or its agents of the City.
- 2) Waste hauler means any person who, for compensation, supplies, maintains or services one or more dumpsters, or removes, transports or disposes of the contents thereof.
- 3) Dumpster means any container, receptacle, compactor unit, trailer, roll-off, or similar unit with or without wheels that is used for temporary storage, containment, or transport of refuse, debris, trash, rubbish, garbage, food waste, solid waste, recyclable material, incidental demolition debris, or other discarded or like materials. It shall not apply to ordinary household trash cans of a volume of 64 gallons or less, or recycling receptacles of 96 gallons or less.
- 4) Owner means any person, including a lessee or mortgagee in possession, who alone or severally with others has lawful title to or lawful possession, care or control of any property on which a dumpster is located or proposed to be located. Owner also includes any authorized agent of such person.
- 5) Person includes any individual, partnership, corporation, firm, association, or group.
- 6) Temporary Dumpster is one used for construction, demolition, clean up or other like purposes that will occupy a specific location usually for twelve months or less for disposal of rubbish. It can be located at a commercial or residential location.

7) Annual Dumpster means a dumpster located on a site year-round for the disposal of rubbish and or garbage.

8) Rubbish shall mean all solid waste, excluding food waste or hazardous materials.

9) Garbage shall mean rubbish containing food waste, both dry and wet, excluding hazardous materials.

10) Hazardous materials shall mean any solid or liquid material containing a substance that is listed by the EPA or MassDEP as a hazardous waste, or if it has the characteristics of a hazardous waste, including but not limited to: oil, gasoline, paint, cleaning solvents, pesticides, batteries and aerosol cans.

Section 5: Annual and Temporary Dumpster Permits

1) No dumpster shall be used or kept in the City of Watertown unless a dumpster permit has been issued. The application for a dumpster permit shall be provided by the Board of Health. The application shall include the name, address, telephone number, and e-mail address of the owner of the property and the owner/operator of the dumpster; the size of the dumpster, the exact location of the dumpster on the property (including a diagram), whether the dumpster will be used for rubbish, garbage or both, the size of the dumpster, the phone number of an emergency contact who can be reached 24 hours a day/7 days per week to respond to emergencies, and such other information as the Board of Health deems necessary.

2) The granting of a dumpster permit is not intended to grant permission to use property that is not owned and/or controlled by the permit holder, and all necessary approvals must be obtained by the applicant before placing a dumpster on the property of another. No dumpster shall be placed within a public way, sidewalk, or any other property owned by the City without the express written permission of the Superintendent of Public Works or their designee, or other City official with custody and control of the subject property. No dumpster shall be maintained in violation of the City's zoning ordinance or any other applicable law.

3) Annual Dumpster permits shall expire on December 31st in the year they are issued and must be renewed on an annual basis.

4) Each application for a dumpster permit shall be accompanied by the applicable fee as set forth in the Board of Health's Fee Schedule.

5) The Board of Health may attach any condition to the permit to assure the protection of public health, safety and welfare.

6) Dumpster permits are not transferrable to any other person or location without the express written permission of the Board of Health.

Section 6 – Use of Dumpsters

1) No dumpsters may be located on a public or private way from November 1st through April 1st. Dumpsters with a permit expiration date within that time frame must be moved off the public or private way or the permit will be suspended or revoked.

2) The Owner shall ensure that each dumpster is so located as to not interfere with the health, safety, or well-being of any business or neighbor or with any public utility or infrastructure and they shall not be located on or adjacent to handicapped parking areas.

3) Owner or responsible party shall be responsible to maintain dumpster area in a clean, safe, and sanitary condition free from garbage, rubbish, potential injury hazards, pests, conditions contributing to

the accumulation of standing water or other liquids, and or any other condition which affects the health, safety, or the well-being of the occupants or general public while the dumpster is in use and after the dumpster has been removed.

3) Each dumpster shall be of sufficient capacity to contain all accumulated material without overflowing and shall be emptied on a regular basis or when the amount of garbage and or rubbish is level with the top of the container. All dumpsters being used for the disposal of garbage or other odor-causing material must be emptied no less than once per week.

6) All garbage dumpsters must have a tight-fitting lid or cover, which shall be kept closed at all times except when being filled, cleaned or emptied. Each dumpster shall be constructed in such a way as to be leak-proof and rodent proof. If drain plugs are provided, they must be tight-fitting so as to prevent the leakage of liquid.

7) All food waste must be put in closed plastic bags before being put in the dumpster.

8) No person shall deposit hazardous waste in a dumpster. No person shall deposit food waste or garbage in a dumpster permitted only for rubbish.

9) Dumpsters are to be located on a concrete, asphalt or other impervious surface. The owner shall ensure that each dumpster and the area immediately surrounding it is kept free of obnoxious odors, flies, other insects, debris, overflow and all other nuisances. Watertown Board of Health and its agents reserve the right to order the removal of any nuisance on public or private property.

10) Each dumpster shall have affixed to it in a readily visible place so as to be easily seen a notice setting forth the permit number, name and address of the operator and telephone number of a working telephone service to report any nuisance conditions. The owner and operator of the dumpster shall be responsible for abating any nuisance conditions within twenty-four (24) hours of receipt of notice of such conditions.

Section 7: Waste Hauler

1) Each dumpster owned, controlled, or serviced by a waste hauler shall be conspicuously marked with the name and telephone number of said hauler.

2) No dumpster owner, contractor, or waste hauler shall allow a dumpster to be delivered, emptied, exchanged, or removed between the hours of 10 pm and 7 am in an area not zoned for business, commercial or industrial use. Where an employee of a waste hauler or other person acting under a contract with a waste hauler violates the provisions of this section, the waste hauler shall be held responsible whether or not the employee or other person acting under contract is also prosecuted for the violation.

Section 8: Enforcement

1) Permit Suspension or Revocation: The Board of Health may suspend or revoke any permit issued pursuant to these regulations for any violation of these regulations, or any other applicable General law, regulation or by-law.

If an annual or temporary dumpster permit is suspended or revoked, any dumpsters kept in accordance with said permit must be removed by a waste hauler within 24 hours of receipt of notice of said suspension or revocation.

2) Non-Criminal Disposition: This regulation may be enforced by any designated agent of the Board of Health.

Whoever violates any provision of this regulation may be penalized by a noncriminal disposition process as provided in G.L. c. 40, section 21D and the City's non-criminal disposition by-law. If non-criminal disposition is elected, then any person who violates any provision of this regulation shall be subject to a penalty in the amounts set forth below of per day for each day of violation, commencing 48 hours following day of receipt of written notice from the Board of Health. Each day or portion thereof shall constitute a separate offense. If more than one, each condition violated shall constitute a separate offense.

\$25.00	For First Offense
\$50.00	For Second Offense
\$100.00	For Third Offense
\$300.00	For Fourth Offense, and Any Further Offenses

3) Other: Whoever violates any provision of this regulation may be penalized by indictment or on complaint brought in the district court. Except as may be otherwise provided by law and as the district court may see fit to impose, the maximum penalty for each violation or offense shall be one thousand dollars (\$1,000). Each day or portion thereof shall constitute a separate offense. If more than one, each condition violated shall constitute a separate offense.

The Board of Health may enforce these Regulations or enjoin violations thereof through any lawful process, and the election of one remedy by the Board of Health shall not preclude enforcement through any other lawful means.

Section 9: Severability

If any provision of this regulation is declared invalid or unenforceable by any court of competent jurisdiction, the other provisions of the regulations shall not be affected thereby but shall continue in full force and effect.