

Chapter IV

Nuisances

Section 1.

Any person or persons owning, or having control of any building or premises shall keep the same in a cleanly condition and any such person having control of any building or premises, in or upon which there is any substance or material, or any condition, which is or may become a source of danger to the public health or a nuisance, shall, when ordered by the Board of Health in writing, remove or abate the same within the time specified in said order.

Section 2.

Any person or persons owning or having control of any premises abutting on a private way, and having the right to use such private way shall, when ordered by the Board of Health in writing, remove or abate from that part of said private way adjoining such premises, any substance, material or condition, which is or may become a menace to the public health or a nuisance, and such removal or abatement shall take place within the time specified in said order.

Section 3.

House offal, commonly called garbage or swill, shall be place in suitable water tight receptacles properly covered and so located that the house offal may be easily removed by persons authorized by the Board of Health. Receptacles used for the storage of house offal, shall at all times be kept in a reasonably clean condition. No metal, glass, crockery, poisonous substances other than house offal shall be placed in such receptacles.

Section 4.

No person shall remove or transport garbage, offal, animal by-products, sewage, or other offensive material through any public street, court, land or way, without first obtaining a permit from the Board of health, and provided further that he shall remove and transport the material herein

mentioned in accordance with such reasonable rules and regulations as may be established by the said Board. All such permits shall expire on December 31st of the year in which they are issued, but may be renewed annually. They may be revoked by the Board at any time for cause. Carts or vehicles used for transporting offensive material shall be water tight and shall be securely covered with a wood, metal or canvas cover.

Section 5.

No person or persons shall place or cause to be placed or left in or upon any public or private street or way, enclosure or grounds, or in any body or stream of water within the limits of this town, the body of any dead animal, fowl, or any other substance or material that is or may become offensive or cause a nuisance, or may tend to obstruct the flow of any stream.

Section 6.

The owner, agent or lessee of any land or enclosure, used as a dump, either public or private, shall cause all offensive matter dumped thereon to be immediately covered, and all other refuse matter dumped thereon to be kept leveled, and the premises kept in such a manner as to cause no nuisance during the process of filing. No person shall dump any offensive material upon any dump unless permitted to do so by the Board of Health, and all such offensive materials shall be properly disposed of to the approval of the Board of Health. All possible care shall be used in preventing the escape of dust and papers from the dump and from the vehicle used in conveying waste materials to the dump.

Section 7.

No owner, occupant or agent of any building or premises shall permit any sewage, garbage, contents or drainage of a privy vault, cesspool or water closet or sink drain or any other filth to empty on the surface of the ground or enter into any ditch, brook, stream or body of water.

Section 8.

If uneaten garbage, manure and refuse are collected in compost piles they shall be treated or covered with earth, loam or other suitable material in

sufficient amounts to eliminate any odor or nuisance. All such piles shall be at least 500 feet from any highway or dwelling. No garbage, manure or putrescible matter of whatsoever nature shall, except in the cultivation and use of the soil in ordinary methods of agriculture, be put upon the ground within 250 feet of high water mark of any source of water supply or within 250 feet of high water mark of any open water flowing directly or ultimately into said source of water supply. In addition during the fly breeding season, they shall be sprayed daily with some suitable coal tar compound or other satisfactory insecticide.

Section 9.

Manure shall be spread upon land only when such land is in condition to plough, and any manure so spread shall be ploughed under within forty-eight hours.

Section 10.

Garbage shall not be collected, removed or transported on a Sunday.

Section 11. Separability

So far as the Board of Health may provide each section of these rules and regulations shall be construed as separate to the end that if any section, sentence, clause or phrase shall be held invalid for any reason, the remainder of the rules and regulations shall continue in full force.

Adopted October 13, 1953. Published October 22, 1953.

BOARD OF HEALTH
Natick, Mass.
Joseph P. Foley
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Section 12. Penalty.

(a) Criminal Complaint - Whoever violates any provision of these rules and regulations may be penalized by indictment or on complaint brought in the District Court. Except as may otherwise be provided by law, and as the District Court may see fit to impose, the maximum penalty for any violation of these provisions shall be \$300.00 for each offense.

(b) Non-Criminal Disposition - Whoever violates any provision of these rules and regulations may, in the discretion of the Health Agent, be penalized by a non-criminal complaint in the District Court pursuant to the provisions of the Massachusetts General Laws, Chapter 40, Section 21D. For the purpose of this provision the penalty to apply in the event of a violation shall be as follows: \$50.00 for the first offense; \$100.00 for the second offense; \$200.00 for the third offense; and \$300 for the fourth and each subsequent offense. Each day on which a violation exists shall be deemed to be a separate offense.

Amended February 12, 2002
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BOARD OF HEALTH
Natick, Mass.

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