

***BROOKLINE HEALTH DEPARTMENT
ENVIRONMENTAL HEALTH SERVICES
HOUSING INFORMATION SERIES***

FACT SHEET #6; STORAGE OF RUBBISH AND GARBAGE

CHAPTER 11, STATE SANITARY CODE
MINIMUM STANDARDS OF FITNESS FOR HUMAN HABITATION 105 CMR 410.000

410.600: Storage of Rubbish and Garbage.

(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 3:30pm, the day prior to 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 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 dwelling place shall be responsible for providing 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 so locate them to be convenient to the tenant 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 in 105 CMR 410.600C or at the point of collection by the owner.

410.601: Collection of Garbage and Rubbish

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 be responsible for the final collection or incineration of garbage and rubbish by means of:

- (A) the regular municipal collection system; or
- (B) any other collection system approved by the board of health; or

(C) when otherwise lawful, a garbage grinder which grinds garbage into the kitchen sink drain finely enough to ensure its free passage, and which is otherwise maintained in a sanitary condition; or

(D) when otherwise lawful, a garbage or rubbish incinerator located within the dwelling which is properly installed and which is maintained so as not to create a safety or health hazard; or

(E) when otherwise lawful, by backyard composting of compostable material, provided that the composting operation does not attract rodents or other vectors and does not create a nuisance, and provided further that in the case of composting by an occupant, the occupant obtain the prior written permission of the owner

(F) any other method of disposal which does not endanger any person and which is approved in writing by the board of health. (See 105 CMR 410,840)

If you have any questions about this or other Housing Code issues, please call the BROOKLINE HEALTH DEPARTMENT at 730-2306.