

TOWN OF FREETOWN
BOARD OF HEALTH REGULATIONS, 1977
updated August 1997

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(working copy)

The Board of Health of the Town of Freetown is empowered, under the authority granted under Chapter 111, Section 31 of the General Laws of the Commonwealth of Massachusetts, to make reasonable health regulations.

All regulations made by vote of the Board of Health are required by state law to be published once in a newspaper in the Town and such publication shall be notice to all persons.

Violations of Board of Health regulations are punishable by fines or imprisonment, or both, as provided in applicable state statutes.

- Chapter I** - Control of Infectious Diseases
- Chapter II** - Land, Buildings and Environmental Regulations
- Chapter III** - Animal Control and Sanitary Regulations
- Chapter IV** - Food Service Regulations

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**TOWN OF FREETOWN
BOARD OF HEALTH REGULATIONS, 1977**

**Working Copy
updated March 1996**

**CHAPTER I
CONTROL OF INFECTIOUS DISEASES**

1. DISEASES DANGEROUS TO THE PUBLIC HEALTH

Diseases declared dangerous to public health by the Massachusetts Department of public Health shall be reported to the local Board of Health in the manner required by and under the provisions of the General Laws, Chapter 111, Sections 6, 7 and 110. The Massachusetts Department of public Health has the responsibility for defining what diseases are considered dangerous to the public health, makes rules and regulations for the control and prevention of such diseases, and defines what diseases shall be included within the category of venereal diseases according to applicable provisions of state law.

2. REPORTABLE DISEASES

Diseases reportable to the local board of Health include: Amebiasis, Animal Bites, Anthrax, Botulism, Brucellosis (Undulant Fever), Chancroid, Chickenpox (Varicella), Diarrhea of the Newborn (onset before age of 4 weeks or 28 days), Diphtheria, Dysentery (Amebic & Bacillary), Encephalitis (including type if known), Food Poisoning (including botulism, mushrooms and other poisonous vegetable and animal products, mineral or organic poisons such as arsenic, lead, etc., staphylococcal), German Measles, or Rubella, Gonorrhoea, Granuloma Inguinale, Viral Hepatitis (includes infectious and serum hepatitis), Impetigo of the newborn, Lymphogranuloma Venereum, Meningitis (influenzal, meningococcal, pneumococcal, streptococcal and other forms), Mumps, Ophthalmia Neonatorum, Paratyphoid fever, Pertussis or Whooping Cough, Poliomyelitis, Psittacosis, Salmonellosis (except typhi and paratyphi), Salmonellosis Typhi and Paratyphi-Typhoid and Paratyphoid fevers, Smallpox vaccination reactions-generalized vaccinia, eczema vaccinatum, Streptococcal infections (including erysipelas, scarlet fever, streptococcal sore throat), Syphilis, Tuberculosis, Typhoid.

3. PHYSICIAN TO GIVE NOTICE

In accordance with General Laws, Chapter III, Section III, if a physician knows or has cause to believe that a person whom he visits is infected with a disease dangerous to the public health, or if either eye of an infant whom or whose mother, a physician or a hospital medical officer registered under Section 9, of chapter 112, General Laws visits, becomes inflamed, swollen and red, or shows an unnatural discharge within two weeks after birth, he shall immediately give notice in writing thereof, signed by him, to the local Board of Health where the patient is being attended.

4. HOUSEHOLDERS TO GIVE NOTICE

A Householder who knows or has cause to believe that a person in his family or house is infected with a disease dangerous to the public health shall immediately give notice thereof to the Board of Health unless a physician is in attendance. In cases where a physician is in attendance, his notification will be accepted in place of the householder. (General Laws, Chapter III, Section 109.)

5. POWERS AND DUTIES OF THE LOCAL BOARD OF HEALTH IN CASES OF INFECTIOUS DISEASE

The following are pertinent excerpts from Chapter III, general Laws:

Section 95 "If a disease dangerous to the public health breaks out in a town, or if a person is infected or lately has been infected therewith, the Board of Health shall immediately provide such hospital or place of reception and such nurses and other assistance and necessaries as is judged best for his accommodation and for the safety of the inhabitants, and the same shall be subject to the regulations of the board. The board may cause any sick or infected person to be removed to such hospital or place, if it can be done without danger to his health; otherwise the house or place in which he remains shall be

considered as a hospital, and all persons residing in or in any way connected therewith shall be subject to the regulations of the board and, if necessary, persons in the neighborhood may be removed.”

Section 112 “If the Board of Health of a town has had notice of a case of any disease dangerous to the public health therein, it shall within 24 hours give notice to the Massachusetts Department of Public Health.”

Section 113 “Every Board of Health shall keep a record of all reports received of diseases dangerous to the public health... containing the name and location of all persons who are infected, their disease, the name of the person reporting the case, the date of such report, and other information as required by the Department of Public Health.”

CHAPTER II LAND, BUILDINGS, ENVIRONMENTAL REGULATIONS

1. HEALTH NUISANCES

A. Examination & Regulations

The Board of Health shall examine all nuisances, sources of filth and causes of sickness within the town, or on board vessels within the harbor of the town, which may, in its opinion, be injurious to the public health. The Board shall take action to remove, prevent or destroy and/or eliminate all nuisances and shall make necessary regulations for the public health and safety relative thereto. Whoever violates any such regulation shall forfeit not more than one hundred dollars. (General Laws, Chapter III, Section 122)

B. Responsibilities of Property Owners

Any person or persons owning, or having control of any building or premises shall keep the same in a clean and sanitary condition and any person or persons owning or having control of any building or premises, in or upon which there is any substance, material or condition, which is or is likely to become a 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.

C. Unsafe or Inadequate Water Supply

Upon determination of the Board of Health that the available supply of water for drinking, culinary and other domestic purposes in any place of habitation, or in any place where food or drink is prepared, handled or served to the public, is so unsafe or inadequate as to constitute a nuisance the board may issue a written order to the owner of such place requiring him to discontinue the use of the water supply, or to provide an alternate supply of safe and adequate water. Any person who wilfully fails or refuses to comply with such an order shall be punished by a fine of not less than fifty dollars, and the board may thereupon cause the removal of the occupants of the place to which the order relates, which shall not again be occupied as a place of habitation or a place in which food or drink is prepared, handled or served to the public, without its written permission. The Superior Court, on a petition in equity brought by said board, shall have jurisdiction by injunction or otherwise to enforce any order issued by the Board of Health. (General Laws, Chapter III, Section 122A)

2. NOISOME (OFFENSIVE) TRADES, OCCUPATIONS AND PRACTICES

A. Assignment of Places for Noisome (Offensive) Trades

No trade or employment which may result in a nuisance or be harmful to the inhabitants, injurious to their estates, dangerous to the public health, or may be attended by noisome (offensive) and injurious odors shall be established except in such a location as may be assigned by the Board of Health after a public hearing has been held thereon. (General Laws, Chapter III, Section 143)

B. Removal or Transportation of Garbage, Offal or Offensive Material

No person shall remove or transport garbage, offal or other offensive materials or substances through any public street, highway, court, lane or other public way without first obtaining a permit from the Board of Health, and provided further that such removal and transportation shall be in accordance with rules and regulations as determined by the board. The fee for such permit shall be five (\$5) dollars. All such permits shall expire on December 31st of the year in which they are issued and may be renewed annually. Such permits may be revoked for cause at any time by the board. Nothing in this section shall be construed as to prevent a householder from removing, transporting and disposing of garbage, offal or offensive material from his own household without a permit provided such activity does not cause a nuisance or endanger the public health.

C. Disposal of Waste Water

No owner, occupant, or agent using or having control of any building or premises shall permit any septage, sewage, garbage, contents or drainage of a privy vault, septic tank, cesspool, leaching field, water closet, sink drain or any other waste water or filth to empty on the surface of the ground or enter into any drain designed for the removal of surface water or into any ditch, brook, stream or body of water.

D. Disposal of Dead Animals, Fowl or Other Offensive Material

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, the body of any dead animal, fowl, or any other substance or material that is or may become offensive, cause a nuisance or health hazard, or tend to pollute or obstruct the flow of any stream or body of water.

E. No old rags, old papers or other refuse material shall be brought into or allowed to remain within any building, dwelling or shelter used or intended for human habitation if gathered from any source outside such structure.

F. No person shall sell or offer for sale any second-hand wearing apparel, bedding, household utensils that have been exposed to any infectious disease, or that is infected with vermin until the same has been cleansed and disinfected in a manner satisfactory to the Board of Health.

3. REFUSE, GARBAGE, HOUSEHOLD RUBBISH & WASTE COLLECTION & DISPOSAL

A. No place within the limits of the Town shall be established or maintained or operated by any person, including any political subdivision or agency of the Commonwealth, as a site for refuse composting plant or a dumping ground for refuse or any other physical or natural facility for treating or disposing of refuse unless such place has been either assigned by the Board of Health as a site for such facility after holding a public hearing, or, in the case of an agency of the Commonwealth, has been assigned by the Massachusetts Department of Public Health after a public hearing and unless public notice of such assignment has been given by the Board of Health. Refuse included all solid or liquid waste materials, garbage and rubbish but excluding sewage or septage wastes. If such facility is a landfill owned or operated by any person other than the Town or an agency of the Commonwealth, such person shall pay to the Town a fee of fifty cents for each ton of solid waste generated from outside of town and disposed in such facility. On or before the twentieth day of each month every such person shall file a return subscribed under the penalties of perjury with the Board of Health and shall pay the determined fee on or before the due date of such return. (General Laws, Chapter III, Section 150A)

B. The use of refuse for filling or grading land is prohibited.

C. The weekly collection of refuse, garbage and rubbish including all food wastes and properly bagged leaves, combustible rubbish, non-combustible rubbish, ordinary solid wastes, but excluding building demolition or construction wastes and industrial or commercial wastes of any type, shall be provided to all homes within the Town under contract with the Board of Health and on days and under conditions established by such board.

Adopted 8/24/92 4. Established a user fee of \$1.50 per week for all households for the curbside pick-up of household trash to be billed quarterly by the Town.

D. All garbage and rubbish containers properly designed for re-use which are improperly handled or damaged by the contractor engaged in collection shall be replaced by said contractor at his expense.

E. Garbage and rubbish to be collected shall be placed in suitable containers, and shall be picked up from the roadside or sidewalk.

F. Metal containers, if used by householders, shall not weigh in excess of 50 pounds when full and must be equipped with suitable handles.

G. No loose material will be collected by the contractor or by the Town.

H. Adopted 7/8/96 Any person, whoever willfully and without right, deposits solid waste in a commercial disposal container of another, without the consent of the owner or other person who has legal custody, care of, or control, shall be punished by a fine of One Hundred (\$100.00) Dollars for the first offense, One Hundred Fifty (\$150.00) Dollars for the second offense, and Three Hundred (\$300.00) Dollars for the third and subsequent offenses.

4. SEPTAGE WASTE PUMPING AND TRANSPORTATION

No septage, septic tank or cesspool wastes may be pumped from sewage system components of any dwelling, building or structure, whether public or private nor transported within or through the Town by any individual or business firm unless such individual or business firm is registered with and approved by the Board of Health. An annual permit for pumping and transporting such wastes is issued by the Board of Health. Names of approved individuals or business firms shall be published annually. Such information is always available to the public at the office of the Board of Health.

5. SANITARY LANDFILL

A. Disposal Privileges; Sticker Permits

1) The sanitary Landfill shall be open to residents and businesses of the Town of Freetown only.

2) Refuse from outside the bounds of the Town of Freetown shall not be permitted in the sanitary landfill.

Adopted 8/24/92 5. Lifted the ban on out of town commercial trash from being deposited at the Freetown Sanitary Landfill on Howland Road. Only commercial trash and demolition material will be allowed. No household or restaurant wastes will be accepted. A fee of \$10.00 per cubic yard will be charged and must be paid at the landfill at the time of disposal unless prior arrangements have been made with the Board of Health.

Adopted 12/1/89 See Attachment B

3) Vehicle sticker permits are available on request at the Town Hall Communication Center for the use of Freetown residents and businesses only.

Effective 2/15/96 the cost of a Resident Sticker is \$1.00.

4) The sticker permit must be clearly displayed by being affixed to the lower portion of either the driver's side vent window, side window (a) or rear window. Stickers must not be affixed to any part of the windshield.

5) Vehicle registration(s) must be submitted at the time of requesting a sticker. If a vehicle is replaced or registration is changed, it will be necessary to remove the sticker and return it so that a new sticker may be issued.

6) Stickers will be valid for the period of time imprinted on each.

7) A temporary permit, valid for four days may be issued to a non-resident or out-of-town business who is performing work in the Town of Freetown provided that the refuse originates from within the Town. This permit will be issued upon payment of a five dollar (\$5.00) fee which shall be refunded upon returning the temporary permit at the end of the four day period. Each four day temporary permit must be accompanied by the required fee with subsequent permits to be issued for extended work in the Town. The temporary permit shall be available from the office of the Board of Health.

11/4/91 To increase from \$10.00 to \$25.00 the fee for temporary passes to the Sanitary Landfill to be used by non-residents.

8) A special permit must be obtained from the Board of Health for the dumping of large amounts (more than (2) large truckloads) of refuse resulting from building demolition or brush, tree or stump removal. Special designated areas within the landfill may be assigned for the dumping of this type of refuse.

2/15/96 See attached Transfer Station/Recycling Center disposal fees.

B. Sanitary Landfill Days and Hours of Operation

1) The sanitary landfill shall be open on Thursday, Fridays, Saturdays and Sundays from 9 a.m. to 5 p.m. except holidays. During daylight saving time the hours for dumping will be extended to 8 p.m. on Saturdays only.

2) The sanitary landfill will be closed on Mondays, Tuesdays and Wednesdays.

C. Restrictions

1) No open burning shall be permitted. No waste shall be accepted which contains burning or smoldering substances.

2) Disposing of refuse on public or private property outside the gate or fence enclosure of the landfill site is strictly prohibited and will automatically result in the loss of dumping privileges and/or persecution under Town by-laws.

3) For reasons of health and safety, children are not allowed to roam free or otherwise remain unsupervised while on the landfill site.

4) Salvaging of refuse or materials deposited in the landfill shall not be allowed except by special permit issued by the Board of Health under applicable regulations set forth by state and local authorities.

5) No person or persons shall deposit or cause to be deposited any refuse of any kind upon the landfill site except at the places and in the manner so directed by the person in charge of the premises, whether such direction is given personally or by another person with delegated authority, or by a sign or signs erected upon the premises.

6) No person or business shall carry or leave, or cause to be carried or left, upon the landfill any motor vehicle or major exterior body of mechanical part thereof unless the same shall have been dismantled or disassembled and/or the body and body parts thereof so cut and flattened as to permit the occupying of minimum space.

7) The disposal of motor vehicle tires is prohibited with the one exception of limited numbers which come from the normal use of households and businesses within the Town.

8) Household appliances, machines or similar articles must have access doors and/or panels removed.

D. Enforcement

1) The daily operation of the sanitary landfill shall be under the overall supervision and direction of the engineer designated by the Board of Health and the Highway Surveyor. The engineer and Highway Surveyor is herein empowered to make those operational decisions necessary for the implementation of these regulations.

2) The Board of Health shall annually appoint, upon the recommendation of the engineer and Highway Surveyor, a Landfill Foreman and such Assistant Foreman as may be necessary for the efficient operation of the Landfill.

3) The Landfill Foreman, or person in charge, in addition to any other remedies he may have by these regulations and at law, may exclude any person from the use of the landfill who has violated these regulations or whose intention it is, in his opinion, to violate these regulations or other applicable law.

4) Any person or persons who shall violate any provisions of these regulations will be prosecuted to the full extent of the law, and upon conviction, shall forfeit a sum not to exceed one hundred (\$100.00) dollars. Each violation shall constitute a separate offense and shall be punishable as such hereunder.

6. BUILDING & DWELLING CONSTRUCTION

A. Building Permits

1) No building permit(s) for the construction of any dwelling, building or shelter used or intended for human habitation shall be issued until the Board of Health has approved the proposed building site as suitable for such construction in accordance with health and sanitary standards.

2) No building permit for an addition to any existing dwelling, building or shelter used or intended for human habitation shall be issued until the Board of Health has examined and approved the adequacy of the water supply and sewage facilities for the proposed use.

3) Procedure involved for the building or dwelling construction used or intended for human habitation shall conform to the "Check List for Establishing New Dwellings & Commercial Buildings in the Town of Freetown" (see Supplement #1) and all construction permits including well construction permit, sewage disposal works construction permit, building permit and other permits (Plumbing, electrical, etc.) shall be issued in the proper sequence as established therein.

B. Plot Plans

1) A plot plan of all building sites for any proposed dwelling, building or shelter used or intended for human habitation shall be filed with the Board of Health for its use in determining suitability for construction in accordance with health and sanitary standards. The plot plan shall include the following:

- A) the exact building location
- B) the location of the proposed well or water supply connection
- C) the location of the proposed sewage disposal system
- D) accurately measured distances between the following:
 - (1) proposed building and all property lines and road frontage
 - (2) proposed building and well site
 - (3) proposed building and sewage disposal system and its individual components
 - (4) sewage disposal system components and well
 - (5) sewage disposal system and all water courses including rivers, brooks, ponds, tributaries and tidal waters
 - (6) proposed well site and neighboring sewage disposal systems
 - (7) proposed leaching field or seepage pit and neighboring wells

2) In conjunction with the plot plan, the physical location of the proposed building is to be shown on the building site by being staked out at all corners.

C. Building Restrictions

In all dwellings, buildings or shelters, used or intended for use for human habitation or otherwise, the bottom level of the cellar floor must be at least six (6) inches above the maximum ground water table as determined by acceptable engineering data; the top of the foundation to be at least twenty-four (24) inches above the center line grade of the roadway at a point opposite the center of the foundation, and the garage floor, if any, to be at least twelve (12) inches above the center line grade of the roadway at a point opposite the center of the garage floor, so that no surface water from the roadway or drainage of any type from any source can enter or collect in the cellar and/or garage. Land is to be graded from the front line or lines of the dwellings, building or shelter toward the roadway(s) and the remainder of the lot graded to shed surface water and/or drainage away from the foundation to insure that no water stands or is trapped on the lot in the immediate vicinity.

7. WELLS AND WATER SUPPLY

- A. All installations and related construction of wells and/or water supply connections shall be done by individuals and/or business firms registered with and approved by the Board of Health.
- B. No individual well or other means of water supply shall be located, constructed, altered or installed upon the land where an individual sewage disposal system is to be used, until a permit for such work has been issued by the Board of Health.
- C. An application for a Well Construction Permit shall be submitted in writing to the Board of Health.
- D. The completed well or water supply connection shall be inspected by the Board of Health Agent prior to the issuance of the Sewage Disposal Works Construction Permit.
- E. Upon completion of any well or water supply, the owner shall have water samples analyzed for purity by a State-approved testing laboratory and a written report of the test results shall be submitted to the Board of Health. The owner shall also submit a written report on the production rate of such well including the date of completion and the production rate in gallons per minute.
- F. The location of wells and water supply connections shall conform to the minimum distances set forth in "Distances for Wells and Sewage Disposal Facilities." (see Supplement #2)
- G. Pitless adapters or the equivalent shall be required on all new well installations.
- H. All water lines from wells entering and servicing all dwellings, buildings, shelters or structures of any kind for any intended use are to be installed at a ground depth of at least thirty-six (36) inches to avoid freeze and/or frost damage or interference.
- I. The use of well points is permissible and acceptable providing soil conditions are suitable for the production of water in sufficient quantity necessary for normal needs. Well points may be driven directly into the ground if soil conditions allow, otherwise surface and subsurface soil must be worked to provide suitable conditions for such installations. If an individual installs a well point on his own property, a well permit is not required. All other installations shall require a well permit. Those engaged in the installation of well points as a business are required to be registered with the Massachusetts Water Resources Commission.
- J. All well drillers and point drivers doing business in the Town of Freetown must be registered with the Board of Health.
- K. The provisions of Articles I and XI of the State Sanitary Code are hereby incorporated by reference thereto and any variances, orders, hearings, appeals and/or penalties shall be in conformance with such provisions.

8. SUBSURFACE SEWAGE DISPOSAL; PERCOLATION TESTS

- A. All subsurface sewage disposal plans and installations shall be in conformance with regulations established by Title 5 of the State Environmental Code.

Adopted 8/24/92 1. A \$25.00 plan review fee for subsurface sewerage system designs to be paid at the time of submittal.

Adopted 10/1/89 From this time forward any registered engineer may design the septic system plan whether or not he actually performed the percolation test.

- B. No sewage disposal works, the effluent from which will be discharged into any lake, pond, brook, stream, tidal waters or any tributary thereof, shall be installed unless engineering plans for such disposal works are first approved by the Massachusetts Department of Public Health.

C. Percolation Tests

1) Percolation tests are to be conducted between November 1st and May 31st.

5/1/95 PERC TESTS - In consideration of new Title 5 regulations, to extend the season for percolation tests to cover the entire year.

For all percolation tests, perforated pipe will be installed when the test is done so the groundwater can be monitored.

Adopted 4/8/91 Change present limit of four (4) years for the validity of percolation test to an indefinite period of time. All percolation tests which are valid as of April 8, 1991, will be valid for an indefinite period of time.

The Board or its Agent reserves the right to require that a new percolation test be performed on any lot or parcel of land in which it deems necessary to protect the health and welfare of the inhabitants of the Town.

ADV 2/12/91 To change the current maximum allowable percolation rate for subsurface sewerage systems from 20 minutes per inch to a maximum allowable percolation rate of 30 minutes per inch to be in line with Title 5 requirements and to be performed under the rules of Title 5.

2) Percolation tests are to be conducted only in the proposed location of the subsurface sewage disposal facilities.

3) Percolation tests are to be conducted by or under the direction of a licensed sanitary engineer and must be witnessed by the Board of Health Agent, or in his absence, by one or more members of the Board of Health.

4) A separate written report of the location and results of percolation test(s) is to be submitted to the Board of Health for its approval prior to the issuance of any construction permit listed under Regulation 7, Paragraph A, Section 3.

D. Installation of Subsurface Sewage Disposal Works or Facilities

1) All installations and related construction of subsurface sewage disposal works or facilities shall be done by individuals and/or business firms licensed as Disposal Works Installers by the Board of Health.

2) A performance bond in the amount of \$5,000 dollars annually shall be posted with the Board of Health by individuals and/or business firms prior to being licensed as approved installers in the Town.

E. The owner or other person or persons having control of any existing building or buildings erected or converted into one or more stores or other places of business, commercial or industrial purposes in which one or more persons are employed, shall provide sufficient toilet facilities.

F. Whenever a water closet, privy vault, septic tank, cesspool, leaching field or drain becomes offensive or obstructed, the owner, agent or person in charge of the premises shall cause the same to be cleaned, made free or otherwise corrected.

G. Established minimum distances for the installation of sewage disposal facilities shall conform to the standards set forth in "Distances for Wells and Sewage Disposal Facilities" (see Supplement #2.)

9. RECREATIONAL CAMPS: FAMILY TYPE CAMP GROUNDS

A. Definitions

Family Type Camp Grounds means any place of camp character as the term is commonly understood, used wholly or in part for recreational camping or group activity purposes or for accommodations for overnight or longer periods and which accommodates the profit or under philanthropic or charitable auspices three or more families or camping groups. The family type camp ground may accommodate tents, mobile camping units, expandable trailer camping units, and such other devices as may be

developed and marketed for the camping trade. The camp ground may also be so arranged that individual plots or sites properly allocated, designated and furnished, as may be herein described, are available for such groups for their convenience during their temporary use or occupation. The plots or sites may or may not be equipped with auxiliary tents, tent platforms, tables and fireplaces. The camp ground may contain temporary or permanent buildings for common usages and may be operated as an overnight camp, a resident camp, or a picnic area. The term family type camp ground does not include a children's day or overnight camp, a recreational camp for children or a trailer coach park.

A recreational camp is a facility or place of camp character, as the term is commonly understood, used primarily for recreational purposes whether on a daily, overnight, weekly, monthly or season basis.

Recreational camp for children means any place of camp character, as the term is commonly understood, used wholly or in part for recreational or instructional purposes and accommodating for profit or under philanthropic or charitable auspices five or more children who are not members of the family or personal guests of the operator.

B. Operation; Licensing

No person shall operate a family type camp or a recreational camp in the Town unless properly inspected and licensed by the Board of Health. Licenses shall be issued annually and may be suspended or revoked by the Board. The fee for said license shall be ten dollars.

The operational standards for family type camp grounds and recreational camps are set forth under Article VIII of the State Sanitary Code entitled "Minimum Standards for Developed Family Type Camp Grounds." The Board of Health shall strictly enforce the State Standards established by Article VIII and herein, by reference, adopts these standards which shall be the Town regulations relative thereto.

No person shall operate a recreational camp for children in the Town unless properly inspected and licensed by the Board of Health. Licenses shall be issued annually and may be suspended or revoked by the Board. The fee for said license shall be ten dollars.

The operational standards for recreational camps for children are set forth under Article IV of the State Sanitary Code entitled "Sanitation Standards for Recreational Camps for Children." The Board of Health shall strictly enforce the State Standards established by Article IV and herein, by reference, adopts these standards which shall be the Town regulations relative thereto.

10. CELLAR PUMPING REGULATIONS

1) All requests to pump cellars will be referred to the Fire Department which has been authorized by the Board of Health to determine by inspection:

- a) the need to pump to preserve safety and health, and,
- b) the priority of calls to be serviced.

2) Fire Department personnel will perform cellar pumping when and if it is determined to be necessary and only when sufficient manpower is available and the use of which would not affect the normal fire protection duties of the department.

3) Cellars will be pumped at the rate of \$35.00 per hour, with a minimum charge of \$35.00. Service time will be determined from the time men and equipment leave the station to the time returned. Property owners will be billed for these services by the Board of Health. Cellars will not be pumped for those individuals with outstanding bills.

4) The Board of Health may vote to **waive** any section of these regulations if judged to be in the interest of public health and safety or in the best interests of the Town of Freetown.

5/89 **Variances** to regulations which are more stringent than those established by Title 5 of the State Environmental Code may be granted by the Board of Health.

**CHAPTER III
ANIMAL CONTROL & SANITARY STANDARDS**

1. STABLES CARE & KEEPING OF HORSES

A. Every owner or keeper of four (4) or more horses in the Town of Freetown shall register with the Board of Health and obtain a stable license.

B. Stable licenses will be issued by the Board of Health for a four year period and may be renewed. The license fee shall be ten (\$10.00) dollars. Stables in operation at the time of the adoption of these regulations are hereby exempted from the stable license requirement until 1980, but are subject to all other provisions of these regulations.

C. Every horse shall be protected from severe weather in a suitable stable, barn, shed or building. Such building must have a weather-tight roof and sides, have ample head and body room for each horse, have adequate ventilation and be floored with any material which can be maintained in a dry and clean condition. An open shed or building facing in a southerly direction is allowable, but must be considered as a minimum shelter.

D. A paddock or corral shall be provided of sufficient size based on the number of horses kept or boarded. Fences shall be erected and maintained at such height and in such condition to discourage jumping or getting loose and to prevent hazards to the enclosed animals.

E. Every horse shall be maintained in good health and under clean and sanitary condition. Stalls shall be kept clean and properly bedded. Fresh water and sufficient shade must be available and accessible at all times.

F. Every horse must receive annual protective immunizations and/or booster shots against sleeping sickness (Eastern and Western Encephalomyelitis), tetanus (lockjaw) and Coggins (Equine Infectious Anemia) test. Such shots must be completed annually by June 1st and a copy of such immunization record is to be submitted to the Board of Health.

G. Storage of food shall be independent of the stall area. Grain shall be stored in covered metal containers.

H. Manure may not be stored within one hundred feet of any property line and no stable shall be located within two hundred (200') feet of a church or meeting house used for public worship without written consent of the religious society or parish worshipping therein.

I. Violations of these regulations shall be subject to a fine of five (\$5.00) dollars for each day such violations exist. Stable licenses may be revoked for cause at any time.

2. PIGS AND PIGGERIES

A. No person, firm or corporation shall keep or maintain within the limits of the Town, four or more swine over three months of age without a permit from the Board of Health, all such permits shall expire on December 31st of each year unless sooner revoked. The fee for this permit shall be five dollars.

B. A license to transport garbage offal, or other offensive substances along the public ways of this Town must be obtained from the Board of Health in accordance with Annotated-Laws, Chapter III, Section 31A and no such materials shall be so transported without a license. All licenses shall be revoked at any time by the Board of Health for cause. Garbage and other offensive material shall be transported only in watertight vehicles or containers and shall be securely covered with wood, iron or canvas cover while the vehicle is in motion. Licenses will not be issued for the transporting of garbage from outside the state to be deposited in the Town. (See Chapter II, Paragraph 2, Section B of these regulations)

C. All piggeries shall be suitably isolated and maintained in such a manner that no nuisance, or health hazard shall be created thereby. No pen or enclosure shall be located within two hundred (200') feet of any highway or place or any dwelling house not his own, or within one hundred (100') feet of his own dwelling.

D. All piggeries will be examined frequently by a representative of the Board of Health who will make such recommendations to the owner as are necessary to maintain the piggery in proper condition.

E. Properly ventilated buildings of substantial construction, preferably painted white or whitewashed, well-lighted, and so designed that accumulations of offensive material can be readily removed, shall be provided. For indoor pens watertight trough of cement or metal kept in good repair shall be provided for feeding purposes, and these troughs must be thoroughly cleaned every day.

F. All buildings used for the housing of swine shall be kept clean and in satisfactory condition. Brook houses shall be cleaned daily.

G. If outdoor pens and runs are provided, the swine shall be fed from platforms built of heavy watertight material flat on the ground or on skids one foot above the ground so arranged that the platform can be readily removed and the ground at the earlier location ploughed in. If the feeding platform is elevated, the space between the ground and the platform shall be kept clean and clear, AND NO FOOD SHALL BE ALLOWED TO ACCUMULATE ABOUT THE PLATFORM OR ON THE GROUND.

H. A bin for receiving garbage shall be provided, which shall be covered during warm weather.

I. Garbage cans, wagons and trucks shall be thoroughly cleansed after the garbage has been removed therefrom.

J. Manure and refuse in outdoor pens shall be cleaned out at least weekly and must be either immediately removed from the premises or must be so kept that it will not constitute a nuisance and so that the pigs will not have access to it.

K. If uneaten garbage, manure or 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 five hundred (500') feet from any highway or dwelling. No garbage, manure or putrescible matter whatsoever shall, except in the cultivation and use of the soil in ordinary methods or agriculture, be put upon the ground within two hundred fifty (250') feet of high water mark or any open waters 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.

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

M. Wet mulch in outdoor pens shall be removed and replaced with clean sand.

N. A water supply adequate for cleaning purposes shall be provided.

O. No pigs shall be kept within hundred (100') feet of any room where milk is handled. No person who handles milk shall assist in maintenance of pigs or the cleansing of pens.

P. Adequate personnel shall be employed at all times for the proper maintenance and operation of the piggery.

Q. No piggery shall be located, constructed or maintained any part of which is within two hundred fifty (250') feet of the high water mark of any source of drinking water mark of any open waters flowing directly or ultimately into any source of water supply.

R. Whoever violates any of the foregoing regulations shall forfeit not more than one hundred (\$100.00) dollars as provided in General Laws, Chapter III, Section 122.

3. CARE & KEEPING OF COWS, GOATS AND POULTRY

The owner, agent or person in control of any building or premises in which cows, goats or live fowl are kept shall keep or cause to keep the buildings and premises clean and free from decaying food, filth, animal wastes, and stagnant water. Upon order of the Board of Health, the buildings and/or pens shall be disinfected when necessary.

Chapter IV
Food Service Regulations

1. All Food Service Establishments in the Town shall be licensed to operate by the Board of Health which shall at least twice each year inspect or cause an inspection of the health and sanitary conditions in each establishment to determine compliance with Article X of the State sanitary Code.
2. "No Bare Feet" signs shall be prominently displayed on or in close proximity to each entrance door of all Food Service Establishments between May 1 and October 1 of each year. Such signs are available from the office of the Board of Health.
3. All food service establishments in the Town of Freetown shall be required to install, use or maintain in proper working order an approved mechanical spray-type hot dishwashing machine. An approved, mechanical dishwashing machine shall be of sufficient capacity, be equipped with accurate water temperature thermometer(s), be designed, constructed and installed as to be easily cleanable and shall be operated to routinely render all multi-use utensils, including tableware and kitchenware, clean and sanitized. Manual dishwashing, immersion-type dishwashing machines or other dishwashing facilities are hereby prohibited for the purpose of sanitizing multi-use tableware and kitchenware.
4. Any food service establishment which fails to install, use and maintain an approved, mechanical dishwashing machine will be restricted to the use of non-toxic, single service, non-reusable articles and utensils.
5. All food service establishments within the Town served by private water sources shall cause their water supplies to be tested annually by a State approved testing laboratory and shall file annually a complete water analysis report with the Board of Health.

8/24/92 – Fee increase for a permit to sell milk and cream from \$2.00 to \$5.00 every year with the permit expiring annually on December 31st.

8/24/92 Adopted the non-criminal disposition procedure for Board of Health Regulations to be compatible with the procedure used for protective by-law enforcement.

Supplements To Board of Health Regulations

Supplement 1 – “Check List for Establishing New Dwellings and Commercial Buildings in the Town of Freetown

Supplement 2 – “Distances for Wells and Sewage Disposal Facilities”

Supplement 1
Check List for Establishing New Dwellings and Commercial Buildings in the
Town of Freetown

	Check	Date	Officials Signature	Item
				1. Conservation Commission
A.				A. Determination by a qualified engineer as whether or not proposed building site comes under the provisions of the Wetlands Protection Act.
B.				B. If so or questionable owner must make application to Commission for a determination and imposition of conditions if applicable. Commission shall reply within 10 days after application is submitted or it shall automatically be deemed approved.
C.				C. Decision on writing to owner and Board of Health.
				2. Board of Health
D.				D. Owner to submit plot plan showing: a) building location (physical location on lot must be shown by using 4 or more stakes at all corners) b) location of proposed well or water supply connections c) location of proposed sewage disposal system d) all measured distances between building & lot frontage, to all property lines, between building and all sewage disposal system components and all water courses including rivers, brooks, ponds & tributaries thereof and between well site and neighboring sewage disposal systems and between proposed leaching field or seepage pit and neighboring wells.
E.				E. On site inspection by Board of Health Agent to determine suitability for building from a health and sanitary viewpoint.
F.				F. Percolation test by a licensed sanitary engineer and witnessed by Health Agent or Board of Health member.
G.				G. Percolation test results to be filed with Board. Must include all test findings and all test pit locations.
H.				H. Sanitary Engineer to design an adequate sewage disposal system based on percolation test results including a profile of the earth's strata, a sketch showing location and exact distances of system and components in relation to proposed building and existing neighboring dwellings, wells, property lines and water courses and an accurate profile of

				the proposed disposal system. Plan to be certified by engineer and submitted to Board for approval.
I.				I. Issuance of a well construction permit.
J.				J. Inspection of completed well by health agent.
K.				K. Water test results filed with Board
L.				L. Issuance of sewage disposal works construction permit by Board
M.				M. Inspection of stages of construction of sewage disposal system by Health Agent.
N.				N. Issuance of certificate of compliance for sewage disposal system.
				3. Building Department
O.				O. Two sets of building plans & specifications submitted to Building Inspector for examination and approval. (Elevation of top of building foundation using road crown must be clearly shown)
P.				P. Issuance of building permit, wiring (electrical) permit, plumbing permit, gas piping permit and other necessary permits as applicable.
Q.				Q. Building Inspections a) Footing & foundation b) Rough Framing c) Finish building.
R.				R. Other Required Inspections (plumbing, wiring, gas, fire alarm, heating system & tank, etc.)
S.				S. Certificate of Occupancy issued.

Supplement 2
Distance for Wells and Sewage Disposal Facilities

The location of a well and/or sewage disposal facilities shall be such as to provide between it and components listed in the following table not less than the distances listed below.

Components:	Septic Tank	Leach Field Seepage Pit & Cesspool	Building Sewer	Well
Well or suction line	100'	100'	(a)	--
Water Supply Line (pressure)	(b)	(b)	(b)	--
Property Line Adopted 7/8/96 for Repairs	20'	20' 10'	--	20'
Street or way (property lines of public ways included ways shown on plans approved and/or stamped approval not required by the Planning Board)	20'	20'	--	20'
Single Family dwelling, Duplex Multiple Family Dwelling & Commercial Building	10'	20'	--	--
Surface water supplies (reservoirs) tributaries to reservoirs including open & sub-surface drains.	100'	100 [*]	100 [*]	--
Water courses, streams, rivers, ponds, open & subsurface drains.	75' (1)	75' (1)	--	--
Edge of fill, 1:10 Downhill slope steeper than one vertical to three horizontal	-- --	25' 50'	-- --	-- --

- (1) Distances for septic tank leaching field or seepage pit & cesspool from watercourses is increased to 10' for multiple family dwellings and commercial buildings.
- (a) 10' id constructed of durable corrosion-resistant material with watertight joints laid in class B bedding or 50' if any other type pipe is used.
- (b) Disposal facilities are to be installed at least 10' from and 18" below water supply lines both pipes shall be constructed of mechanical joint cast iron pipe and should be pressure tested to ensure water tightness.
- * 100' is a minimum acceptable distance. The distance shall be increased where required by conditions peculiar to a location.

Town of Freetown Board of Health
Public Notice

The following stipulations and restrictions will be imposed regarding the transfer of Freetown trash to SEMASS Partnership during the first week of September 1989:

1. SEMASS will accept only common household trash. If the material does not burn, do not send it.
2. Rubbish must be placed at the outside edge of the sidewalk no later than 6:30 a.m. on the day of the collection.
3. Rubbish containers or trash bags weighing more than 50 lbs. Will not be collected.
4. Only standard containers of not more than 36 inches in height and 32-gallon capacity will be collected. No wooden barrels, steel drums, etc. will be picked up.
5. All newspapers, etc. must be tied in bundles not weighing more than 50 lbs.
6. All cardboard boxes must be broken down and tied in bundles not weighing more than 50 lbs.
7. Rugs or rug pads must be tied in bundles 3 feet long not weighing more than 50 lbs.
8. Woodchips and sawdust must be placed in plastic bags.
9. Plastic bags must be tied closed.
10. Loose materials such as lumber, shingles, branches, etc. placed alongside of containers will not be collected.
11. The following trash will not be acceptable: Scrap metal, auto or truck batteries, engine blocks or transmissions; bulky auto body parts; motor oil; paint, tar thinner or gasoline; explosives; hazardous chemicals; pesticides; televisions; bulky household appliances; bulky household furniture; bed springs or mattresses; room air conditioners; lawn mowers or lawn sweepers; bicycles; large tree limbs or stumps; leaves; grass; tires; dirt; rocks; gravel; stone; concrete blocks, slabs, or bricks; wood or coal ash; propane tanks; oil burners; oil drums, /card board barrels; large plastic industrial drums; hot water tanks; sinks, tubs, or toilets; household radiators; large window panes or mirrors; asphalt roof shingles; construction demolition, or large bulky items which cannot be burned or shredded; fences; ropes; chains; long or rolled up items over 2 feet square of material of any type; liquids; hospital waste; animal or human waste; nuclear or radioactive material.

**Town of Freetown
Transfer Station/Recycling Center
Disposal Fees Starting 2/15/96**

Tires/Car	\$1.00
Tires/Truck	\$5.00
Mattress	\$5.00
Box Spring	\$5.00
Chair	\$5.00
Couch	\$10.00
Table	\$5.00
TV	\$3.00
Rugs/Small	\$5.00 10x10 & Under
Rugs/Large	\$10.00 12x12 & Over
Minimum Fee	\$5.00

Construction Material

Pickup/Trailer	\$10.00 ½ Full
Pickup/Trailer	\$25.00 Full

Roofing Shingles

Pickup/Trailer	\$25.00 ½ Full
Pickup/Trailer	\$50.00 Full

Town Resident Stickers are now \$1.00

Recycling of the following items continues to be free of charge

All Plastics	Glass	Metal	Brush
Newspaper	Batteries	Motor Oil	Leaves

The new fee system is due to the closure of the landfill in August 95'. Massachusetts Department of Environmental Protection mandated closure of our landfill, the same as it is doing to all unlined landfills in the State of Massachusetts.

We have tried to operate the transfer station at no additional cost to residents since the closure of the landfill, but that has proven to be impossible due to the high cost of transportation and disposal to another landfill site.

Freetown Board of Health
Adopted 2/1/96