

# TOWN OF SHUTESBURY, MASSACHUSETTS

## LITTERING AND DUMPING BYLAW

*Bylaw passed by Shutesbury Town Meeting on May 3, 2014*

### **1. Disposal of refuse, rubbish, etc. on public roads and rights of way, private property or in inland waters (Mass. G.L. c. 270, §16 and G.L. c. 131, §1).**

“No person may place, throw, deposit or discharge, or cause to be placed, thrown, deposited or discharged, trash, bottles or cans, refuse, rubbish, garbage, debris, scrap, waste or other material of any kind on a public road or public right of way, or any other public land, or in or upon inland waters, or within 100 feet of such waters, or on property of another.”

### **2. Free by the side of the road items.**

Usable items placed by residents beside Shutesbury roads for others to take must be properly disposed of by the resident or property owner if said items have not been taken two weeks after they have been placed on the roadside. The property owner is responsible for proper disposal of these items.

### **3. Vacating a Residence.**

People vacating a residence in Shutesbury may not leave trash, bottles or cans, refuse, rubbish, garbage, debris, scrap, bulky or hazardous waste or other waste materials of any kind on the side of Shutesbury roads with the exception of trash disposed of in official Shutesbury trash bags or trash scheduled for pick up within a week by a private hauler. In the case of rental properties, the property owner is responsible for any necessary disposal or roadside clean-up.

### **4. Enforcement**

The provisions of this bylaw shall be enforced by the Police Officers of the Town of Shutesbury by any available means in law or equity, including but not limited to enforcement by noncriminal disposition. Instances of hazardous waste dumping shall be enforced according to applicable state law. Non-hazardous waste (trash, refuse, rubbish, garbage, debris, scrap, bulky or other non-hazardous waste materials of any kind), enforced through noncriminal disposition, will be handled in the following manner:

- a. The Shutesbury Police shall investigate ownership or origin of the non-hazardous waste. **Reports of illegal dumping initiated by a resident shall be reported via telephone or email to the Shutesbury Recycling Coordinator. The Recycling Coordinator shall follow up with the Police.** For a first offense, the Police shall issue a written notice and direct the violator to remove the items immediately. The notice shall include notification that the property owner will be charged for the cost of

removal if the non-hazardous materials are not removed within two weeks from receipt of the written notice.

- b.** If materials are not removed within the two week period after notification, a fine of \$25.00 in addition to all costs of disposal, including waste removal and disposal costs, Shutesbury departmental, administrative and hired staff time to handle the disposal, and any other relevant costs incurred., shall be charged to the violator.
- c.** If the originator of the non-hazardous waste cannot be identified, the Town Administrator shall determine how vendors will be paid.