



TOWN OF FALMOUTH
Town Manager & Select Board Office
59 Town Hall Square
Falmouth, Massachusetts 02540
508-495-7320

COLLECTION CONTAINER PERMIT APPLICATION

M.G.L. 140 §2 and §4 – Code of Falmouth Chapter 105 § 1-11

Step 1: *Is the property ready for license approval?*

- Contact the Zoning Board of Appeals office to request written confirmation that the proposed collection container site is approved for this use, *see page 2 and the bylaw page 4.*

Step 2: *Have all the following ready to submit with the application.*

- Total License Fees payable to the Town of Falmouth \$85.00 per container; \$10.00 filing fee + \$75.00 license fee.
- Obtain a signed, complete Affidavit of Property Owner from the owner of the proposed property, *see page 3.*
- This must be completed by the Property Owner only; ***employees or lessees may not complete the affidavit.***

Step 3: *Now you are ready to apply.*

- Select Board office - Submit a complete license application for a Collection Container License with all items completed in Steps 1 and 2.

PLEASE NOTE: Upon approval, the license will be mailed with a sticker featuring the permit number and the business phone number. The sticker must be affixed to the upper right corner of each container.

The license period begins May 1st or on the issue date and extends to April 30th of each year.



Town of Falmouth
 Office of the Town Manager and Board of Selectmen
 59 Town Hall Square, Falmouth, MA 02540
 (508) 495-7320

APPLICATION FOR NEW COLLECTION CONTAINER LICENSE

In accordance with Falmouth Town Code, Chapter 105 attached, Collection Containers are only to contain reusable clothing, shoes, household goods that will fit in the container, and books. Please refer to the by-law attached for a complete definition and explanation.

All fields are required. Incomplete applications will not be accepted.

BUSINESS NAME:

BUSINESS ADDRESS:

TOWN:

STATE:

ZIP CODE:

TELEPHONE:

EMAIL:

COLLECTION CONTAINER

REQUIRED: Attached a map of the applied for location obtained from the Town Planning Office showing the Assessor's Map, PARCEL#, and ZONING DISTRICT Per Chapter 105-5

CONTAINER SITE ADDRESS:

TOWN:

STATE:

ZIP CODE:

NUMBER OF CONTAINERS:

SIZE AND DIMENSIONS:

LOCATION OF CONTAINER ON PROPERTY:

ITEMS TO BE COLLECTED:

PICKUP/MAINTENANCE SCHEDULE:

PROPERTY OWNER INFORMATION

NAME:

PROPERTY ADDRESS:

TOWN:

STATE:

ZIP CODE:

TELEPHONE:

EMAIL-required:

I certify that this application contains a true description of the Collection Container, including all pertinent information relating to size, location, and property ownership:

DATE

AUTHORIZED SIGNATURE (APPLICANT)

Fees per container: \$85.00

Town of Falmouth

License Application – Department Contact Information

Select Board **Town Hall** **(508) 495-7320** licensing@falmouthma.gov

- License applications.

Building **Town Hall** **(508) 495-7470** <https://www.falmouthma.gov/307/Building>

- Approval of floor plan and/or site plan.

Apply online using **PermitEyes**

- Certificate of Inspection.
- Sign Permit

Zoning **Town Hall** **(508) 495-7460**

- Special permit.

Planning **Town Hall** **(508) 495-7440**

- Site plan review.

Assessor **Town Hall** **(508) 495-7380** <https://www.falmouthma.gov/175/Assessing>

- Certified abutters list.

Police **750 Main St.** **(774) 255-4527**

- Call Central Records to schedule an appointment for the fingerprint-based background check.

Health **Town Hall** **(508) 495-7485** <https://www.falmouthma.gov/273/Health>

Apply online using **PermitEyes**

- Food service establishment permit.

Town Clerk **Town Hall** **(508) 495-7360**

- Certificate of Doing Business.
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COLLECTION CONTAINER COMPANY COPY

Town of Falmouth, MA
Wednesday, April 10, 2019

Chapter 105. Collection Containers

[HISTORY: Adopted by the Town of Falmouth Special Town Meeting 4-14-2015, Art. 18, approved 7-16-2015. Amendments noted where applicable.]

GENERAL REFERENCES

Secondhand dealers and secondhand collectors - See Ch. **136**.

Solid waste - See Ch. **191**.

Streets and sidewalks See Ch. **199**.

Zoning - See Ch. **240**.

§ 105-1. Purpose.

The purpose of this chapter is to regulate the location, siting, and maintenance of collection containers for used clothing, shoes, books and other items as approved by the permitting authority to protect public health and safety, including preventing rodents, vermin and blight.

§ 105-2. Definitions.

CHARITABLE ORGANIZATION - A duly organized and existing legal entity which has received a formal designation under Section 501(c)(3) of the United State Internal Revenue Code and maintains an office or facility within the Town.

CHURCH/CHURCH PROPERTY

A duly established and generally recognized religious denomination and its active place of worship.

COLLECTION CONTAINERS

Any bin or other container where a member of the public may donate or otherwise dispose of used clothing, shoes, books or other items as approved by the permitting authority, including a trailer or mobile container used for such purposes.

UNCOLLECTIBLE GOODS OR ITEM

Any goods or item, the collection of which is not specifically authorized in this chapter.

§ 105-3. Types permitted; existing containers.

Collection containers for reusable clothing, shoes, household goods and books, only, are permitted within the Town of Falmouth and only in the locations specified in this chapter; collection containers for other goods or items or at other locations are prohibited.

A collection container shall be fully enclosed with a pull-down, self-closing door located on the front section. It shall have a footprint of no more than twenty-five (25) square feet and a height of no more than six (6) feet, measured from the bottom edge to the top edge of the front and rear sections. Dumpster-type containers are prohibited, regardless of dimensions.

Any existing collection container for uncollectible goods or items or which does not comply with specifications contained in this section shall be removed within thirty (30) days following the effective date of this chapter; any existing collection container located in a nonpermitted location or improperly sited shall be removed and/or relocated within ninety (90) days following the effective date of this chapter.

§ 105-4. Exclusions.

This chapter shall not apply to:

- A. Commercial trash or recycling dumpsters.
- B. Town of Falmouth trash and recycling receptacles or containers.

§ 105-5. Permitted locations.

Collection containers are permitted in the following locations:

- A. Private property located on an improved lot within a Business District 2, as defined in Chapter **240** of the Falmouth Town Code and designated on the Town's official Zoning Map; a collection container is not permitted on an unimproved or vacant lot and no more than four (4) containers are permitted on an improved lot.
- B. A church may place and maintain up to four (4) collection containers on church property for its own charitable work, provided they are screened from view from public ways.
- C. A charitable organization may place and maintain up to four (4) collection containers on its property for its own charitable work, provided they are screened from view from public ways.
- D. The Town Waste Management Facility, in the discretion of the Director of Public Works.

- E. Fire stations, at the permission of the Fire Chief.
- F. Schools, at the permission of the School Superintendent.

§ 105-6. Permit required.

Placement of a collection container pursuant to § 105-5 shall require written application to and issuance of a permit from the Town Manager; all existing collection containers which otherwise comply with this chapter shall comply with this section within thirty (30) days following the effective date of this chapter.

§ 105-7. Permit application contents.

The application pursuant to § 105-6 shall include:

- A. Legal name, principal business address and legal identification of applicant.
- B. Name, address, telephone number and email address for contact person.
- C. Written permission from property owner, including information for owner required of applicant in Subsections **A** and **B**.
- D. Description of collection container, including a sketch or photograph.
- E. Listing of collectible items.
- F. Pick-up, inspection, and maintenance schedules.
- G. Legal address of property where each collection is to be located, along with a sketch plan showing container location and compliance with the requirements of this chapter.

§ 105-8. Siting.

- A. Collection containers shall not be sited within the layout of any private or public way and shall be sited so as not to obstruct traffic sight lines or distances and not to otherwise impede the flow of traffic or pose a safety hazard to pedestrians.
- B. Collection containers shall not be sited within any setback or buffer required by Chapter **240**, of the Falmouth Town Code.
- C. Collection containers shall be placed upon a concrete pad or asphalt paved surface.
- D. Collection containers shall not utilize or obstruct any parking space required for minimum zoning compliance or any space designated for trash dumpster placement or snow storage on an approved site plan.

§ 105-9. Maintenance.

- A. A collection container shall be kept clean and in good repair and its site shall be kept clean and free of debris at all times. Without limiting this requirement, no container overflow and no disposal of uncollectible goods or items shall be permitted.

§ 105-10. Penalties for noncompliance.

- A. Placement of a collection container 1) for uncollectible goods or items, or 2) which does not comply with conditions in the permit issued or 3) in a nonpermitted location: three hundred dollars (\$300); each day shall constitute a separate offense.
- B. Failure to obtain a permit for a collection container where one is required: one hundred dollars (\$100); each day shall constitute a separate offense.
- C. All other violations:
First offense: fifty dollars (\$50).
Second offense: one hundred dollars (\$100).
Third and subsequent offense: three hundred dollars (\$300).
In the case of continuing violations, each day shall constitute a separate offense.

The property owner and the collection container owner shall each be responsible for compliance with this chapter and shall be liable for any violation.

§ 105-11 . Enforcement.

In addition to the Falmouth Police Department, this chapter may be enforced by the Falmouth Building Commissioner and the Falmouth Board of Health Agent.



Town of Falmouth

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COLLECTION CONTAINER PERMIT

PROPERTY OWNER AFFIDAVIT

Property Owner, *not lessee*, Must Complete and Sign this Form to Attest to Approval for Collection Container(s) To Be Placed on Your Business Property

I, _____, as Owner of the subject
(Property Owner - *please print*)

Business District 2 property at:

_____,
(Property Address – *please print*)

hereby authorize: _____
(Agent for Collection Container Company – *please print*)

(Name of Collection Container Company – *please print*)

to apply for, erect, and maintain a licensed collection container at the property described above. I understand that the property owner and the collection container owner shall each be responsible for compliance with the Falmouth By-law, attached, and shall be liable for any violations.

(Signature of Property Owner)

(Date)