

Town of Weymouth Massachusetts

**Weymouth Health Department
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Regulation #17 Nuisances

In order to protect the public health and in accordance with MGL Chapter 111 Section 31 and Section 122, the Board of Health hereby adopts the following amended regulation relative to nuisances.

Under the inspection authority of MGL Chapter 111 section 122, the Board of Health by means of a Registered Sanitarian or a Chemicals Management & Surveillance officer, duly appointed, acting as their agent, shall make inspections, by complaint or otherwise, into all nuisances, odors, noise, sources of filth, causes of sickness, etc. within the Town especially seeking to mitigate overflowing sewers, cesspools or septic systems, accumulations of rubbish or garbage or animal feces which are not contained in durable watertight containers or other containers deemed appropriate by the registered sanitarian.

The Board of Health by means of a Chemicals Management & Surveillance Officer or a Registered Sanitarian, duly appointed, acting as their agent shall make inspections by complaint or otherwise into releases of chemical substances whether in solid, liquid, or gaseous states, or any combination thereof, which are recognized (by placement on the Massachusetts Substances List, as amended) as toxic, neurotoxic, carcinogenic, mutagenic or teratogenic.

No person, firm, corporation, or other entity owning any parcel land with or without a structure, with or without plumbing, shall pump, lead, or allow to flow any rain water, clear water, sump water, or flood water into the municipal sewer.

The following list shall serve to state those conditions which will be considered a nuisance:

1. Overflowing sewage
2. Accumulated manure, dung, or feces from any animal
3. Accumulated rubbish or garbage
4. Release of any harmful chemical substance
5. Noise over 10 dB over ambient background
6. Sickening and/or obnoxious odors
7. Existence of accident/injury hazard
8. Pumping or leading clear water into the municipal sewer

In the event of any finding listed above, the agent shall notify the person, firm, or corporation most responsible, that such condition is considered a nuisance and shall order abatement on behalf of the Board within 24 hours or within whatever time the agent considers reasonable.

Whoever causes or fails to abate any such nuisance condition as outlined above shall forfeit not more than one thousand dollars or as provided by section 122 for a criminal complaint. Every day's failure to correct said condition shall constitute a separate offense, said condition to be enforced either by criminal complaint in the district or other court or by noncriminal enforcement under General Laws Chapter 40, Section 21-D as the case may be.

If for any reason any word, phrase, sentence, paragraph or other part of this regulation is found to be invalid or in conflict with any superseding statute, law or regulation the balance of this regulation shall remain in full force and effect and to that end the parts of this regulation are hereby declared separable.

This regulation was adopted by vote of the Board of Health in a regular meeting held April 7, 1999 and is to take effect seven days after publication.