

Chapter 216

WASTE DISPOSAL

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[HISTORY: Adopted by the Halifax Board of Health: Art. I, 4-25-1972; Art. II, 6-30-1979; Art. III, 5-10-1983. Amendments noted where applicable.]

GENERAL REFERENCES

Zoning – See Ch. 167.

Building construction – See Ch. 203.

Land development – See Ch. 208, Art. I.

ARTICLE I
Septic Tanks
[Adopted 4-25-1972]

§ 216-1. Minimum standards.

The minimum size septic tank is one thousand (1,000) gallons, and the minimum size leaching area shall be one thousand (1,000) square feet.

ARTICLE II
Waste Discharge Regulations
[Adopted 6-30-1979]

§ 216-2. Authority.

The Halifax Board of Health, acting under the authority of MGL c. 111, §§ 31, 31B and 31C, and pursuant to every other power hereto enabling, sets forth the following regulations.

§ 216-3. Regulations to be amended.

These regulations shall remain in force until further order, except that from time to time they may be amended or added to by the Board as provided for by law.

§ 216-4. Purpose.

In order to prevent degradation of Halifax's surface and ground water supply, the Halifax Board of Health enacts the following regulations.

§ 216-5. Definitions.

The following words as used in these regulations, unless the context otherwise requires, shall have the following meanings:

LOT – A single area of land in one (1) ownership, defined by metes and bounds or boundary lines in a recorded deed or recorded plan.

MULTIPLE-FAMILY DWELLING – A building intended and designed to be occupied by more than two (2) families living independently in separate dwelling units.

OTHER LAND USE ACTIVITY – Includes any commercial or industrial uses or combination of such uses.

PERSON – Any individual, corporation, firm, partnership, municipality, quasi-municipal corporation, state or federal agency, or any other legal entity.

SUBSURFACE WASTE DISPOSAL – Any system for disposing of wastes or wastewaters on or beneath the surface of the earth, including but not limited to holding ponds, surface spraying, septic tanks, drainage fields and wells, but shall include any discharge into a municipal sewer system.

TITLE V – Regulations promulgated pursuant to MGL c. 21a, § 13, and filed in accordance with MGL c. 30, § 37, titled “Commonwealth of Massachusetts, Department of Environmental Quality Engineering, the State Environmental Code, Minimum Requirements for Subsurface Disposal of Sanitary Sewage, 1977, Title V.”

WASTE – Any liquefied sewage, garbage, sewage sludge, chemical, biological or radiological materials, human body wastes or any other refuse or effluent in a liquid form generated from domestic, commercial or industrial activities, except any wastes containing insufficient liquid to be free flowing and wastes generated from agricultural activities or animal husbandry.

§ 216-6. Subsurface waste disposal requirements.

Title V shall provide minimum requirements for substantive provisions and endorsement for subsurface waste disposal, except for more stringent regulations, including this regulation, which may be adopted from time to time by the Board of Health.

§ 216-7. Design considerations.

- A. The estimated volume of waste to be discharged from the premises to be served should be based on the estimated maximum contributory population and the resultant maximum expected daily quantities of sewage as determined from the table in Title V titled “Sewage Flow Estimates.” Estimated sewage flows other than those listed should be considered in relation to actual meter readings of established flows from known or similar installations.
- B. Construction materials and methods shall be as required by the applicable sections of Title V, except where more stringent requirements are specified by the board of Health.
- C. The Board of Health shall carefully consider the possible health hazard or inconvenience which the failure of a subsurface disposal system would pose to residents, customers, employees, other users of facilities or the general public. Therefore, it shall review designs for features which would mitigate the impact of a system failure. Such design features shall include, but not be limited to, multiple leaching structures, division of flows into smaller standard residential-size units, piping and valving flexibility, ability to rest or dry leaching facilities and the prevention of disruption of vehicular or pedestrian circulation if repairs are required. Designs for multiple-unit housing shall particularly address these considerations.

§ 216-8. Maximum allowable waste discharge.

In all areas of the Town of Halifax, notwithstanding any other provisions of state or local law or regulations, no person shall dispose of wastes by means of subsurface waste disposal from any multiple-unit housing or any other land use activity which may generate wastes in volumetric proportion in excess of one thousand (1,000) gallons per day per acre.

§ 216-9. Conditional permission.

Subsurface waste disposal in excess of the maximum permitted under § 216-8 may be allowed by the Board of Health upon written application being submitted to the Board of Health and written approval by the Board of Health given. Approval shall be granted only if the applicant for approval demonstrates and the Board of Health finds that, based on the amount and nature of wastes, construction of the subsurface disposal system, soil types and slopes, percolation rates, depth of bedrock and groundwater, density of any proposed development and all other relevant factors, the proposed subsurface waste disposal will not lower the water quality of or otherwise pose a threat to any lake, pond, stream, river and underground water supply or to the public health, safety and general welfare.

§ 216-10. Maintenance requirements.

The owner of a subsurface waste disposal system serving multiple-unit housing or other land use activities, not including single-family dwellings, shall provide sufficient evidence for the Halifax Board of Health showing that the system's septic tank has been inspected on an annual basis and cleaned at least once every two (2) years, or more frequently if required. All inspections and cleaning of septic tanks shall be performed by a septic tank pumper licensed by the Halifax Board of Health.

§ 216-11. Exemptions.

This regulation shall not apply to any subsurface waste disposal system in existence and serving any lot on or before July 1, 1979. However, the exemption provided in this section shall be inapplicable to a lot which, after said date, is reduced in size and which reduction has the effect of causing a violation of § 216-8.

§ 216-12. Severability.

If any part of the regulation is determined by a court of competent jurisdiction to be invalid or unenforceable, the remainder of the regulation shall remain in full force and effect.

§ 216-13. Violations and penalties.

Any person who violates any provisions of this regulation shall be subject to a fine of not less than ten dollars (\$10.) nor more than five hundred dollars (\$500.) for each offense or violation. Each day of such violation shall be considered a separate offense.

ARTICLE III
Leaching Fields
[Adopted 5-10-1983]

§ 216-14. Minimum depths.

The minimum depth dimension for leaching fields in the Town of Halifax shall be as follows:

- A. The cover over the established bed shall be an average minimum of twelve (12) inches in depth, and the finished grade of the cover shall be no higher than the established surrounding grade.
- B. There shall be a minimum of three (3) inches of one-eighth ($1/8$) to one-half ($1/2$) inches washed stone. The distribution pipes in the field are to be perforated and a minimum of four (4) inches in diameter. The maximum distance between distribution pipes shall be six (6) feet.
- C. There shall be a minimum of one (1) foot of three-fourths ($3/4$) to one and one-half ($1\frac{1}{2}$) inches washed stone below the bottoms of the distribution pipes.
- D. The entire leaching bed shall be a minimum of four (4) feet above water or impervious material.