

Rules and Regulations

Board of Health

Town of East Longmeadow



Adopted by the Board of Health
East Longmeadow, Massachusetts

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RULES AND REGULATIONS
BOARD OF HEALTH
Town of East Longmeadow, Mass.



STATUTORY AUTHORITY
General Laws, Chapter 111, Section 31, (Ter. Ed.) as amended by
Chapter 285, of the Acts of 1937



CHAPTER I
NUISANCES

1. Any person or persons owning, or having control of any building or premises shall keep the same in a cleanly condition and any such persons having control of any building or premises, in or upon which there is any substance or material, or any condition, which is or may become a source of 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.
2. Any person or persons owning or having control of any premises abutting on a private way, and having the right to use such private way shall, when ordered by the Board of Health in writing, remove or abate from that part of said private way adjoining such premises, any substance, material or condition, which is, or may become a menace to the public health or a nuisance, and such removal or abatement shall take place within the time specified in said order.
3. House offal, commonly called garbage or swill, shall be placed in suitable watertight receptacles properly covered and so located that the house offal may be easily removed by persons authorized by the Board of Health. Receptacles used for the storing of house offal, shall at all times be kept in a reasonably clean condition. No metal, glass, crockery, poisonous substance or substances other than house offal shall be placed in such receptacles.
4. No person shall remove or transport garbage, offal or other offensive material through any public street, court, lane or way without first obtaining a permit from the Board of Health, and provided further that he shall remove and transport the material herein mentioned in accordance with such reasonable rules and regulations as may be established by said Board. All such permits shall expire on December 31 of the year in which they are issued, but may be renewed annually. They may be revoked by the Board at any time for cause.

No permit shall be transferred except with the approval of said Board. Carts or vehicles used for transporting offensive material shall be watertight and shall be securely covered with a wood, iron or canvas cover. Nothing in this section shall be so construed as to prevent a householder from disposing of garbage, offal or other offensive material in a manner satisfactory to the said Board of Health.

5. 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 within the limits of this town, the body of any dead animal, fowl, or any substance or material that is or may become offensive or cause a nuisance, or may tend to obstruct the flow of any stream.
6. No owner, occupant or agent of any building or premises shall permit any sewage, garbage, contents or drainage of a privy-vault, septic tank, cesspool or water closet or sink drain or any other filth to empty on the surface of the ground or enter into any drain designed for the removal of surface water or any ditch, brook, stream or body of water.

CHAPTER II

SEPTIC TANKS, TOILETS, PRIVY-VAULTS AND PUBLIC SEWERS

1. The Owner or other person or persons having control of any existing building or buildings hereafter erected or converted into a dwelling to be occupied by one or more families, and from which a public sewer is accessible, shall, in a manner and within a period of time satisfactory to the Board of Health, cause such building to be connected with such public sewer.
2. The owner or other person or persons having control of any existing building or buildings, hereafter erected or converted into one or more stores or other places of business, and in which one or more persons are employed, shall provide sufficient toilet facilities, and wherever a public sewer is accessible, shall, in a manner and within a period of time satisfactory to the Board of Health, cause such stores or other places of business to be connected with such public sewer.
3. No septic tank, permanent privy-vault, or other means of sewage disposal shall hereafter be constructed, altered or installed in this town until a permit has first been obtained from the Board of Health.
4. An application for permit, under paragraph 3, must be submitted to the Board of Health on a blank furnished by the Board of Health and must be signed by the owner, agent or contractor. The application must give all details of location and design. The suitability of land for subsurface sewer disposal as manifested by soil exploration, percolation tests and such other tests as may be required by the Board of Health, or their duly authorized agent, shall be ascertained before a granting of a permit.

5. No building permit shall be issued for a structure which requires sanitary facilities where no public sewer is available until a permit for a sewage disposal installation has been obtained from the Board of Health.
6.
 - a. All subsurface waste disposal facilities hereafter constructed, altered or installed shall be of approved material and, unless otherwise specified by the Board of Health, shall be located not less than 15 feet from any dwelling; not less than 25 feet from any stream; not less than 10 feet from line of any street, court or passageway; not less than 10 feet from line of adjoining lot; and not less than 10 feet from any water line connecting to the public system; also 25 feet from any storm drain, cellar drain, or subsoil drain which discharges into any drain, culvert, or on to the surface of the ground; also not less than 50 feet from any well or spring without the approval of the Board of Health. All measurements shall be taken from the nearest portion of the waste disposal facilities.
 - b. All septic tanks hereafter constructed, altered or installed shall have an effective capacity of at least 600 gallons and shall be constructed of approved material. The effluent from such tanks must be disposed of by proper subsurface facilities so as not to cause a nuisance in the vicinity or to pollute any water supply.
 - c. The minimum size of a septic tank for a one-, two- or three-bedroom dwelling shall be 600 gallons, and for a four-bedroom dwelling 750 gallons. For over four bedrooms, the capacity shall be increased 150 gallons per bedroom. Adequate additional capacity shall be provided when household garbage disposal discharges into the system.
7.
 - a. In subsurface disposal fields, the lateral pipe lines shall follow the general contours of the ground. The disposal trench or trenches shall be at least 18" wide with a maximum width of 36". The minimum distance between trenches shall be three times the width of the trench from center to center.
 - b. Leaching trenches for subsurface disposal of septic tank effluent are trenches partially filled with stone and covered with earth backfill and provided with 4" perforated or open joint pipe located in the stone for distributing the liquid to all parts of the leaching trench bottom. Only the bottom area of the trench is to be considered effective for leaching purposes. The pipe used shall be vitrified clay bell and spigot or perforated tile, bitumized-fibre or asbestos cement pipe provided with adequate number of loose joints or perforations to obtain good distribution of the liquid. The pipes shall be laid on an 8" layer of clean gravel or crushed stone ranging in size from 3/4" to 2 1/2". This stone shall be brought to the top of the pipe where a 2" sealing cover layer of 1/8" to 1/4" stone will be place before backfilling.
 - c. No single line of distribution pipe shall be over 75 feet in length. All lines must be laid at a grade of not more than 4" per 100 feet. Where more than the single line of distribution pipe is used, the distribution box must be installed to distribute the septic tank effluent equally into the various subsurface distribution pipe lines.
 - d. The plans for any housing development or subdivision submitted to the Board of Health for approval where no public sewers are available shall be accompanied by a report on the type of the existing soil in the area concerned to a suitable depth below any proposed leaching facility; investigation of the ground water table to at least 4 feet below the bottom of any leaching facility; percolation tests at representative locations and performed at the depth of any proposed leaching facility. In addition, the plan should denote existing and proposed finish contours and grades.

e. To perform a percolation test the applicant shall dig or bore a hole approximately 6" to 12" in diameter to the depth of the proposed absorption trench; remove all loose material from the bottom of the hole; fill hole with approximately 12" of water; place boards across the top of the hole to provide fixed reference point from which reference to the water surface can be taken. In no case shall test be made in filled, frozen ground or fissured rock formations. The test should be done during the wet seasons, but if not conducted during a wet season it should be repeated until the moisture conditions of the soil approach those obtained during the wet seasons.

f. the following shall be the leaching trench area requirements:

Percolation rate (time required for water to fall one inch in minutes)	Required absorption area (square feet of absorption trench bottom per bedroom)
2 or less	85
3	100
4	115
5	125
10	165
15	190
30	250
45	300
60	330

Percolation rate over 60 shall be deemed unsuitable, and any sewerage disposal system at such location shall require special approval of the Board of Health.

8. No permanent privy-vault shall be constructed or maintained except with approval of the Board of Health. All permanent privy-vaults hereafter constructed, shall be of approved material, and shall be fly-proof, and unless otherwise specified shall be located not less than 20 feet from any dwelling, not less than 20 feet from line of adjoining lot, and not less than 20 feet from line of any street, court or passageway, all measurements being taken from nearest outer point of vault.
9. Temporary privy-vaults for the convenience of contractors or their employees may be erected or installed without a permit but only under the following conditions: The vault must be at least 2 feet in depth and must be so located as to cause no annoyance to persons residing in the vicinity. The owner, contractor, or agent shall cause the contents thereof to be treated in a sanitary manner, and immediately upon completion of the contract the contractor shall remove the privy, fill in the vault and leave the premises in a condition satisfactory to the Board of Health.
10. No indoor toilet or water closet, except that which is provided with proper means of flushing with water at time of using, shall be installed or used on any premises in this town.

11. Whenever a water closet, privy-vault, septic tank or drain becomes offensive or obstructed, the owner, agent or occupant of the premises shall cause same to be cleaned and made free or otherwise corrected.
12. Every owner, occupant, or agent of premises in which there is any private sewer, drain, privy-vault, or septic tank shall keep the same in a sanitary condition and shall have every privy-vault or septic tank emptied and cleaned when necessary or at such times as ordered by the Board of Health. If the owner or occupant fails to comply with such order, the Board may cause the nuisance, source of filth or cause of sickness to be removed, and all expenses incurred thereby shall be paid by the person who caused or permitted same, if he has had actual notice from the Board of Health of the existence thereof.

CHAPTER III

HORSES, COWS, GOATS, SWINE AND POULTRY

The owners or person in control of any buildings or premises in which horses, cows, goats, fowl, swine or other domestic animals are kept shall keep said buildings and premises clean and free from decaying food, filth, dirt, manure and stagnant water; such buildings or animal pens shall be whitewashed or disinfected at intervals as required by the Board of Health. Manure piles shall be maintained only in a manner approved by the Board of Health, having consideration to the neighborhood involved, and if any manure pile or accumulation is ordered by the Board of Health to be removed, such owner or person in control shall comply forthwith.

CHAPTER IV

COLLECTION AND DISPOSAL OF REFUSE AND GARBAGE

1. DEFINITIONS:

- a. Garbage is all animal, fish, fowl, fruit or vegetable waste matter produced from or resulting from the use or storage of food for human consumption.
- b. Refuse is all combustible and non-combustible rubbish, ashes and ordinary commercial wastes. Rubbish is defined as waste, refuse, broken or rejected matter; hence, anything worthless. Building or construction wastes and industrial wastes are not included under refuse.

2. STORAGE OF WASTES:

- a. Garbage is to be well drained of free water, stored in a watertight, tightly covered container. The container shall be kept clean and free from deposits of garbage. No broken glass, cans, bottles or poisonous matters shall be place in this container.

- b. Refuse shall be stored in containers, preferably made of metal, equipped with proper facilities for handling, and said containers shall not when filled weigh more than 100 pounds.
- 3. PRIVATE COLLECTIONS:**
- a. No private parties, firms, or corporations shall be allowed to collect garbage and refuse without authorization from the Board of Health.
- b. Private scavenging on the streets is prohibited and no person shall overhaul the contents of receptacles of refuse set upon sidewalks for collection.
- 4. DISPOSAL OF WASTES:**
- a. No public or private premises within the limits of the town shall be used as a dump without a permit from the Board of Health.
- b. No matter which will burn, decay or cause an objectionable odor may be used for filling or grading land.
- c. All refuse shall be disposed of at a dump designated by the Board of Health or by the town meeting and in accordance with rules prescribed by the Board of Health.
- d. Garbage or offensive material shall not be disposed of at any dump. When garbage is fed to swine, the premises involved shall be maintained in a sanitary manner and in accordance with rules and regulations prescribed by the Board of Health.
- 5. MISCELLANEOUS:**
- a. These rules and regulations shall not prohibit the disposal of combustible refuse and garbage in the home or commercial establishment by incineration if no smoke or odors are produced that may be classed as nuisances or hazards; nor the grinding of food wastes into water-carried pulp which is then transported to the household or commercial plumbing system and thence into the municipal sanitary sewer system or private sewer.
- b. All vehicles employed in the collection of garbage shall be watertight and covered at all times unless otherwise permitted by the Board of Health. Vehicles employed in the collection of refuse shall be so equipped as to prevent any material from blowing or dropping onto the highway.
- 6. MAINTENANCE OF DUMPS:** In any dump designated under Section 4.a:
- a. The dumping of any garbage or other putrescible matter is prohibited.
- b. No dumping of any material shall be permitted except under the supervision of the person in charge.
- c. No material shall be burned at the dump except under the supervision of the person in charge.
- d. The dump shall be kept level and in such a manner as to cause no nuisance.
- e. Cover material shall be brought in when necessary to cover the dumped material.
- f. Fences shall be erected if necessary to prevent the blowing of material.

CHAPTER V
EATING AND DRINKING ESTABLISHMENTS

1. **DEFINITIONS.** The following definitions shall apply in the interpretation and the enforcement of these regulations:
 - a. **Restaurant.** The term "restaurant" shall include hotel, restaurant, coffee shop, cafeteria, café, luncheonette, tavern, sandwich stand, soda fountain, and all other eating or drinking establishments, as well as kitchens or other places, in which food or drink is prepared for sale. The term "restaurant" shall also include a temporary itinerant or mobile restaurant or food-serving unit.
 - b. **Employee.** The term "employee" shall include any person who handles food or drink during preparation or serving, or who comes in contact with any eating or cooking utensils, or who is employed in a room in which food or drink is prepared or served.
 - c. **Utensils.** "Utensils" shall include any kitchenware, tableware, glassware, cutlery, utensils, containers, or other equipment with which food or drink comes in contact during storage, preparation or serving.
 - d. **Health Officer.** The term "Health Officer" shall mean the Board of Health of the Town of East Longmeadow or its authorized representatives.
 - e. **Person.** The word "person" shall include individual owner, partnership, firm, trust, corporation or association.
2. **EXAMINATION AND CONDEMNATION OF UNWHOLESOME OR ADULTERATED FOOD OR DRINK:** Samples of food, drink and other substances may be taken from such establishments and examined by the health officer as often as may be necessary for the detection of unwholesomeness or adulteration. The health officer may condemn or forbid the sale of, or cause to be removed or destroyed, any food or drink which is unwholesome or adulterated.
3. **INSPECTION OF RESTAURANTS:**
 - a. At least once every six months the health officer shall inspect every restaurant located within the Town of East Longmeadow. In case the health officer discovers the violations of any provision of these regulations, he shall make a second inspection after the lapse of such time as he deems necessary for the violation to be remedied, and the second inspection shall be for the purpose of determining compliance with the requirements of these regulations.
 - b. The person operating the restaurant shall upon request of the health officer, permit access to all parts of the establishment and shall permit copying any or all records of food or drink purchased.

4. SANITATION REQUIREMENTS FOR RESTAURANTS:

All restaurants shall comply with all the following items of sanitation:

- a. **Floors** The floors of all rooms in which the food or drink is stored, prepared or served, or in which utensils are washed, shall be of such construction as to be easily cleaned, shall be smooth and shall be kept clean and in good repair.
- b. **Walls and Ceilings.** Walls and ceilings of all rooms shall be kept clean and in good repair. All walls and ceilings of rooms in which food or drink is stored or prepared, shall be finished in light color. The walls of all rooms in which food or drink is prepared or utensils are washed, shall have a smooth washable surface up to the level reached by splash or spray.
- c. **Doors and Windows.** When flies are prevalent, all openings into the outer air shall be effectively screened, and doors shall be self-closing, unless other effective means are provided to prevent the entrance of flies.
- d. **Lighting.** All rooms in which food or drink is stored or prepared or in which utensils are washed, shall be well lighted.
- e. **Ventilation.** All rooms in which food or drink is stored or prepared or served, or in which utensils are washed, shall be well ventilated.
- f. **Toilet Facilities.** Every restaurant shall be provided with adequate and conveniently located toilet facilities for the employees. In restaurants constructed after the effective date of these Rules and Regulations, toilet rooms shall not open directly into any room in which food or drink or utensils are handled or stored. The doors of all toilet rooms shall be self-closing. Toilet rooms shall be kept in a clean condition, in good repair, and well lighted and ventilated. Hand-washing signs shall be posted in each toilet room used by the employees. In case privies or earth closets are permitted and used, they shall be separate from the restaurant building and shall be of a sanitary type constructed and operated in conformity with the standards of the Department of Public Health of the Commonwealth of Massachusetts.
- g. **Water Supply.** Running water under pressure shall be easily accessible to all rooms in which food is prepared or utensils are washed, and the water supply shall be adequate, and of a safe, sanitary quality.
- h. **Lavatory Facilities.** Adequate and convenient hand-washing facilities shall be provided, including hot and cold running water, soap and approved sanitary towels. The use of a common towel is **PROHIBITED**. No employee shall resume work, after using the toilet room, without first washing his hands.
- i. **Construction of Utensils and Equipment.** All multi-use utensils and all show and display cases or windows, counters, and other equipment, shelves, tables, refrigerating equipment and sink or utensils used in connection with the operation of a restaurant shall be so constructed as to be easily cleaned and shall be kept in

good repair. Utensils containing, or plated with, cadmium or lead shall not be used, except that solder containing lead may be used for jointing.

j. Cleaning and Bactericidal Treatment of Utensils and Equipment.

(1) All equipment, including display cases or windows, counters, shelves, tables, refrigerators, stoves, hoods and sinks, shall be kept clean and free from dust, dirt, insects and other contaminating materials. All cloths used by waiters, chefs and other employees shall be clean. Single service containers shall be used only once.

(2) All multi-use eating and drinking utensils shall be thoroughly cleaned and effectively subjected to an approved bactericidal process after each usage. All multi-use utensils used in the preparation or serving of food or drink shall be thoroughly cleaned and effectively subjected to an approved bactericidal process immediately following the day's operation. Drying cloths, if used, shall be clean and shall be used for no other purpose. No article, polish, or other substance containing any cyanide preparation or other poisonous material shall be used for the cleaning or polishing of utensils. Spoons, dippers, etc., used to dispense frozen desserts, when not in use, must be kept in water maintained at 170° F or in clear running water.

k. Storage and Handling of Utensils and Equipment. After bactericidal treatment utensils shall be stored in a clean, dry place protected from flies, dust and other contamination and shall be handled in such a manner as to prevent contamination as far as possible. Single service utensils shall be purchased only in sanitary containers, shall be stored therein in a clean, dry place until used, and shall be handled in a sanitary manner.

l. Disposal of Wastes. All wastes shall be properly disposed of and all garbage and trash shall be kept in suitable receptacles, in such manner as not to become a nuisance.

m. Refrigeration. All readily perishable food and drink shall be kept at or below 40°F except when being prepared or served. Bottled milk and other beverages must not be submerged in water for cooling. Waste water from refrigeration equipment shall be properly disposed of.

n. Wholesomeness of Food and Drink. All food and drink shall be clean, wholesome, free from spoilage and so prepared as to be safe for human consumption. All milk products, ice cream and other frozen desserts served shall be from approved sources. Milk and fluid milk products shall be served in the individual original containers in which they were received from the distributor or from a bulk container equipped with an approved dispensing device, except that this requirement shall not apply to cream, which may be served from the original bottle or from a dispenser approved for such service. All oysters, clams and

mussels shall be from approved sources, and if shucked shall be kept until used in the containers in which they were placed at the shucking plant.

o. **Storage, Display and Serving of Food and Drink.** All food and drink shall be so stored, displayed and served as to be protected from flies, vermin, depredation and pollution by rodents, unnecessary handling, droplet infection, overhead leakage and other contamination. No animals or fowls shall be kept or allowed in any room in which food or drink is prepared or stored. All means necessary for the elimination of flies, roaches and rodents shall be used. Bottled milk and other beverages must not be submerged in water for cooling.

p. **Cleanliness of Employees.** All employees shall wear clean outer garments and shall keep their hands clean at all times while engaged in handling food, drink, utensils or equipment. Employees shall not expectorate or use tobacco in any form in rooms in which food is prepared or stored.

q. **Miscellaneous.** The premises of all restaurants shall be kept clean and free of litter or rubbish. None of the operations connected with a restaurant shall be conducted in any room used as a living or sleeping quarters. Adequate lockers or dressing rooms shall be provided for employees' clothing and shall be kept clean. Soiled linens, coats and aprons shall be kept in containers provided for this purpose.

5. **DISEASE CONTROL.** No person who is afflicted with any disease in a communicable form or is a carrier of such disease shall work in any restaurant, and no restaurant shall employ any such person, or any person suspected of being afflicted with any disease in a communicable form or of being a carrier of such disease. If the restaurant manager suspects that any employee has contracted any disease in communicable form or has become a carrier of such disease he shall notify the health officer immediately.

CHAPTER VI

MILK

1. No person, firm or corporation shall sell, exchange, deliver or have in his custody with intent so to do, milk from any cow unless said cow has within a period of six months passed without reaction a tuberculin test established under the laws of the Commonwealth of Massachusetts, or unless said cow is in a tuberculosis-free accredited herd tested under the plan as adopted by the United States Bureau of Animal Industry. This regulation shall not apply to pasteurized milk or milk intended for pasteurization.
2. All persons, firms, or corporations engaged in the sale, delivery or distribution of milk, skim milk or cream shall provide adequate facilities for the proper storage of said milk, skim milk or cream at a temperature not above 40°F.

3. a. No person shall sell, exchange, deliver or have in his custody or possession with intent so to do, milk, skim milk or cream with a bacterial content which exceeds the maximum counts permitted by the Milk Regulation Board, and the Regulations of the Massachusetts Department of Public Health.
- b. All milk and milk products sold, exchanged, delivered or stored with intent to be sold, exchanged or delivered in the Town of East Longmeadow shall, upon examination made in accordance with the latest edition of "Standard Methods for the Examination of Dairy Products of the American Public Health Association" show standard plate counts not in excess of the following standards:

Product	Standard Plate Count per CC
Raw Milk	100,000
Milk Pasteurized	10,000
Grade A Milk Pasteurized	5,000
Special Milk Pasteurized	2,500
Certified Milk Pasteurized	500
Skimmed Milk Pasteurized	10,000
Milk Beverage	10,000
Cream	40,000

4. No person shall sell, offer for sale or have in his custody or possession with intent to sell, exchange or deliver in the Town of East Longmeadow, any milk or cream except milk or cream pasteurized according to Section 1 of Chapter 94 of the General Laws, and in accordance with the rules and regulations governing the pasteurization of milk of the State Department of Public Health. The regulation contained in this paragraph shall not apply to milk intended to be delivered for the purpose of pasteurization.
5. Every person engaged in the production, storage, transportation, sale, delivery or distribution of milk for sale shall notify the Board of Health on the occurrence of any case or cases of communicable disease, either in himself or among his employees or associates engaged in such activities within the building or premises where milk is stored or handled, and shall at the same time suspend the sale or distribution of milk if required by the Board of Health. No utensil which is used or has been used on the premises where a communicable disease exists shall be used to hold or convey milk until it has been sterilized in a manner satisfactory to the Board of Health or its representative.
6. All persons, firms or corporations engaged in the sale, delivery or distribution of milk shall furnish annually to the Board of Health a list of names and locations of the dairy farms from which the milk so distributed or sold is obtained and shall notify the Board of Health before making any changes in their supply.

7. All dealers, except licensed storekeepers, engaged in the sale, processing and distribution of milk and cream shall provide a separate room or rooms, well lighted, ventilated and properly screened, in a location approved by the Board of Health, in which the handling, bottling and storing of milk shall be carried on. All such milk rooms or plants shall have a smooth, tight floor with sewer connections if possible and smooth, clean walls and ceiling. The entire room or rooms and all appliances shall be kept clean at all times and be used for the handling of milk only. All bottles, cans or other receptacles used for holding milk shall be sterilized insofar as practicable and shall be protected from contamination between the time of such sterilization and the time when they are filled. All bottles shall be filled at the place of production or processing of the milk and shall be capped with a machine capper.
8. No person shall serve or allow to be served any milk to be consumed on the premises where served unless such milk is contained in refrigerated bulk container approved by the Board of Health, or in individual sealed receptacles, each receptacle to be filled at the place of production or processing of the milk, and to contain only the quantity of milk intended for the use of the person served, or in any other receptacle that is approved by the Milk Regulation Board of the Commonwealth.
9.
 - a. Pasteurization plants shall be so constructed that the pasteurizing, processing, cooling and bottling operations shall be carried on in a room separate from that where containers are washed and given bactericidal treatment. Cans of raw milk shall not be unloaded directly into the pasteurizing room. Rooms in which milk, milk products or cleaned containers are handled or stored shall not open directly into stables or living quarters nor shall pasteurizing plants be used for any other purpose than the processing of milk and operations pertaining thereto. Pasteurized milk and milk products shall not be permitted to come in contact with equipment that has been in contact with raw milk, unless such equipment has been cleaned and given bactericidal treatment.
 - b. The floors of pasteurizing plants should be of concrete or other equally impervious material, be graded to drain, provided with trapped drains and kept clean. Walls and ceiling should have smooth, washable, light-colored surface and be kept clean. Flies must be excluded by screens or fans at entrances. Openings through which cans or crates are loaded may be protected by flaps or fans. Good ventilation and lighting are necessary.
10.
 - a. The piping and fittings used to convey milk or milk products shall be standardized equipment made of non-corrosive metal so constructed that all interior surfaces, including valves and connections, are of such size and shape that they are easily accessible to sight and touch and are so designed as to permit easy cleaning, and shall be kept clean. All necessary joints and seams shall be soldered flush and the same requirement applies for cans and other utensils.

- b. All equipment, sanitary piping, etc., which is to be used in the dumping, weighing, conveying, clarifying, filtering, pasteurizing, cooling, bottling or other processing of milk shall be sterilized in place, immediately prior to the use of such equipment for dumping, weighing, pasteurizing or other processing of milk, with hot water at a temperature of not lower than 180°F for ten (10) minutes or with a solution containing not less than 100 parts per million of active chlorine for a period of fifteen (15) seconds or an approved chemical sanitizing solution of equivalent sanitizing property. To insure complete sterilizing, a brush or spray gun shall be used to thoroughly wet all surfaces of vats, holding tanks, dump and weigh tanks, cooler surfaces, covers and headers with sterilizing solution; valves shall be so adjusted that all sanitary piping shall be completely filled with sterilizing solution; all joints, connections and caps of sanitary piping shall be loosened to permit leakage of solution during the sterilizing operation and valve rubbers shall be sterilized in place.
11. No can or jug, either empty or containing milk, shall be left at the roadside unless placed in a covered box which will afford proper protection from contamination.
 12. Milk shall be transported only in vehicles which are kept in a sanitary condition and no wagon, truck or other vehicle used to transport milk shall be used to transport or carry garbage or any other offensive material.
 13. No person shall sell, exchange or deliver goat's milk in the Town of East Longmeadow unless such milk has been produced in accordance with the Regulations of the Milk Regulation Board for the "Inspection of Dairy Farms Producing Milk for Distribution, Sale or Exchange in the Commonwealth" and pasteurized in accordance with the "Regulations Relative to Establishments for the Pasteurization of Milk Made Under the Provisions of Section 48A of Chapter 94, General Laws", and with any pertinent regulations of the Town of East Longmeadow Board of Health relative to the production, handling and sale of milk.

CHAPTER VII

DAIRY FARM

1. A "dairy farm" is defined as a place or premises where more than two cows are kept and a part or all the milk produced thereon is sold or delivered for sale to any person.
2. **EMPLOYEES.** No person having a communicable disease, or who is caring for any person having any such disease, shall handle milk or milk utensils. No dealer or distributor shall knowingly sell or distribute milk shipped from a dairy farm where there is a case of such communicable disease.

3. **COWS.** All diseased cows shall be removed from the milking herd. No producer shall sell milk obtained from any diseased animals.
4. **DAIRY BARN.** The construction and maintenance of the place where milking cows are kept shall be based upon the following items:
 - a. Adequate light shall be provided. Windows shall be kept clean.
 - b. Sufficient ventilation shall be provided.
 - c. The floor and gutters shall be tight, clean and in good repair.
 - d. Walls and ceiling shall be tight, clean and in good repair. They shall be whitewashed at least once a year, unless finished with a surface that can be cleaned.
 - e. Milk stools shall be kept clean and be stored in a clean place.
 - f. All cow yards shall be kept reasonably clean and dry.
 - g. All manure shall be removed or stored or disposed of so as to prevent the breeding of flies therein, or in the access of cows thereto.
 - h. No fowl or animals other than dairy cattle shall be kept in parts of the barn used for dairy purposes.
5. **MILKING.** The udders and teats of all milking cows shall be clean and the flanks, bellies and tails shall be free from manure and loose dirt at the time of milking. The hands of the milkers shall be washed clean immediately before milking and kept clean and dry during the process of milking.
6. **MILK HOUSE OR ROOM.** A properly constructed milk house or milk room shall be provided for the handling of milk and the storage of milk containers and utensils.
 - a. The floor shall be tight and graded to provide proper drainage.
 - b. The walls and ceiling shall be of such construction as to permit easy cleaning.
 - c. Sufficient light and ventilation shall be provided.
 - d. The house or room shall be kept in a sanitary condition and as free as possible from flies.
 - e. The door shall not open directly into a place where milking cows or other animals are kept or into any room used for domestic purposes.
 - f. A properly constructed cooling tank of sufficient size and depth, or other approved cooling facilities shall be provided in the milk house, milk room or other approved location.

- g.** The cooling facilities shall be used for no other purpose than the cooling and storage of milk. They shall be protected from contamination and maintained in a sanitary condition.
- h.** Non-rusting metal racks for the draining and storage of containers and other utensils shall be provided.
- 7. STRAINING AND COOLING.** Milk shall be strained in the milk house or milk room as soon as drawn from the cow. The cooling of milk shall begin immediately after straining. Within two hours, its temperature shall be 40°F or less and maintained at that temperature until delivery or collection is made.
- 8. UTENSILS.** All containers and utensils used in the handling or storage of milk shall be made of metal or glass, constructed so as to be easily washed and shall be in good repair. Joints and seams shall be soldered flush. Metal containers and utensils which are rusted on the inside surface shall not be used in the handling or storage of milk. Strainer cloths or single-service filter pads shall be used.
- 9. CARE OF UTENSILS.** All containers and utensils used in the handling or storage of milk shall be washed and sterilized after each use and stored so as to prevent contamination. The sterilizing may be done with boiling water, dry heat, live steam or sodium hypochlorite.
- 10. WATER SUPPLY.** The water supply shall be easily accessible, adequate and of a safe, sanitary quality.
- 11. TOILETS.** Every dairy farm shall be provided with a sanitary toilet or privy properly located, well constructed and maintained in good condition.

CHAPTER VII

PRIVATE WATER SUPPLIES

- 1.** Every well must be located so that it will be reasonably accessible for cleaning, repairs, test, inspection and treatment if necessary.
- 2.** No well will be closer than 50 feet to any sewer or drainage line unless special construction is provided. Wells must be located so that there will be no possible contamination from privies, cesspools, septic tanks, sewer lines, sink-holes, abandoned wells, barns, stables, industrial wastes, polluted streams, surface water run-off or ground water flow.

3. **DUG AND BORED WELLS** shall meet the following requirements:
 - a. Watertight curbing or casting to depth of at least 10 feet below natural ground surface and to greater depths when necessary to reach a firm and compact impervious stratum.
 - b. Curbing or casting to be extended 8 to 12 inches above natural ground surface and be surrounded with mound, well tamped earth providing good drainage of all water away from well
 - c. The well cover or pump slab must be of watertight material, preferably concrete and sealed to the top of the curbing in a watertight manner. The surface of the slab should slope away from the pump.
 - d. The opening in the well cover or pump slab for the pump shall be large enough to easily admit the cylinder, but shall be made with a wrought iron pipe sleeve sealed watertight into the slab. The upper end of this sleeve shall extend at least one inch above the surface of the slab, over which the pump base can be mounted.
 - e. Where manholes are provided in the well slab they must have overlapping covers which can be maintained watertight.
4. **DRILLED WELLS** shall meet the following requirements:
 - a. Permanent watertight construction from a suitable elevation above the permanent grade at the well to a continuous impervious formation, or to a safe depth below the probable present or future maximum drawdown of the water level.
 - b. The opening or annular space surrounding the well casting should be sealed with suitable impervious material of durable character to prevent any movement of water through it, either upward or downward.
 - c. The upper casting pipe terminal must be against infiltration, that is, entrance of water of any kind.
5. Where wells prove unsatisfactory and are abandoned, all reclaimable piping, casting, etc., should be removed and the well hole plugged with a concrete plug to prevent surface pollution reaching the underground strata through this well hole.
6. Under no conditions shall any abandoned well be used for the disposal of sewage or other wastes.

CHAPTER IX

DAY CARE CENTERS

The following regulations shall constitute the minimum standards for Day Care Centers within the town:

1. A certificate of approval from the Department of Public Safety and local fire department shall be obtained before a license shall be granted by the Board of Health.

2. One adult person shall be in charge of not more than 10 children. Children must never be left without an adult in attendance.
3. Every Center must have a physician who shall be responsible for the health program. All personnel must be examined for tuberculosis by an x-ray of the chest before starting to work by an approved laboratory and subsequent x-rays at least every three years. Evidence of active tuberculosis in such x-ray shall exclude such person from work in a Day Care Center.
4. All personnel conducting Day Care Centers must be approved by the Board of Health with reference to health and social behavior.
5. Age of admission shall be over 32 months. Handicapped children needing special care shall not be admitted unless the staff includes a person especially trained and experienced to take care of them.
6. Housekeeping activities such as washing, dusting or sweeping shall not be done during the time children are in the Center.
7. No child shall be admitted to the Center until a physician's certificate has been obtained stating child is free from communicable diseases, has been, or is in the process of being immunized against Smallpox, Whooping Cough, Diphtheria and Tetanus and is physically able to benefit from the attendance at a Day Care Center.
8. Each child shall be observed daily by the person in charge of the Day Care Center for symptoms of colds, sore throat, inflammation of the eyes, fever, rash or diarrhea and if any are found the child shall be isolated until satisfactory means for his transportation home shall be made available. A room and bed shall be provided for the isolation of ill children until transportation to their homes can be provided.
9. When a child is absent because of illness for five days or more, it shall require a physician's certificate for readmission.
10. Treatment of injuries in the Center shall be limited to first-aid procedures as recommended by the Center physician. The parents shall be informed the same day as the injury occurs.
11. When milk is served, it shall be pasteurized. All food served and the method of serving shall meet with the approval of the Board of Health.
12. Records of each child shall be kept available for inspection and shall meet with the approval of the Board of Health.
13. Location of the Day Care Center shall not be above the second floor. The basement floor, if its use is permitted shall not be more than three feet below ground level and shall be well lighted and dry to the satisfaction of the Board of Health.
14. The floor area shall meet the approval of the Board of Health. A minimum of 35 sq. feet per child is recommended.
15. Sanitation in the kitchen shall meet the approval of the Board of Health.

16. Toilet facilities shall meet approval of the Board of Health for number, size, cleanliness and location.

17. The outdoor play area shall be adequate for the number of children using it. It shall be free from accident hazards, and exposed to sunlight. Play equipment shall be free of hazards and approved by the Board of Health. The Board of Health may require that the outdoor play area be fenced.

18. There shall be a telephone available in the home or nearby.

19. Adequate first-aid equipment shall be maintained and stored safely. Safe drinking water shall be available at all times.

20. Should a health problem arise about the Day Care Center or its operation that is not covered by the above regulations, the person in charge of the Day Care Center shall consult with the Board of Health and its decision shall be final.

PENALTIES

Any person who violates any of the provisions of these regulations shall be punished by a fine of not more than twenty dollars by the court having jurisdiction. Each and every violation of any of the provisions of these regulations shall constitute a separate offense.

REPEAL AND DATE OF EFFECT

These regulations shall take effect on the date adopted by the Board of Health, and shall remain in force on and after that date until amended or repealed.

UNCONSTITUTIONALITY CLAUSE

Should any section, item, paragraph, clause or phrase of these regulations be declared unconstitutional or invalid for any reason, the remainder of said regulations shall not be affected thereby.

Adopted by the Board of Health of the Town of East Longmeadow on March 24, 1959.

Sherwood W. Cronk, Chairman

Arthur W. Anderson

Richard E. Hickey, Jr.

BOARD OF HEALTH