

Town of Sangerville
Solid Waste Ordinance

PURPOSE

It is hereby determined by the Inhabitants of the Town of Sangerville that it is wise and prudent to provide for efficient solid waste management. It is therefore the policy of the Town of Sangerville to reduce overall liability, to control solid waste costs, reduce pollution and degradation, to encourage recycling to the maximum extent possible and by closing the current landfill. It is therefore our decision to join in a regional concept for disposal of our solid waste, by signing a contract to use the Dover-Foxcroft Transfer/Recycling Facility and adopting said Ordinance to govern our overall waste management system. Adoption of this Ordinance and its implementation shall repeal and replace all prior solid waste ordinances or policies.

SECTION I.

Definitions: For the purpose of this Ordinance, the following terms shall have the meaning ascribed to them in this section.

1) Administrator - Administrator is the Dover-Foxcroft municipal officer who has final responsibility for administration of the solid waste facility.

2) Ashes - Ashes shall mean residue of the combustion of solid fuels.

3) Contractor - Contractor shall mean individual, firm, corporation, partnership or other entity or their employees who have a current contract with the Town of Dover-Foxcroft to maintain and operate the Dover-Foxcroft Transfer/Recycling Facility and who are present at the facilities.

4) Department - The State Department of Environmental Protection.

5) Garbage - Garbage means all petrescible animal or vegetable wastes resulting from handling, preparation, cooking and consumption of food in any private dwelling house, multiple dwelling, hotel, restaurant, building or institution.

6) Hazardous Waste - Hazardous waste means a substance designated by the Department of Environmental Protection.

7) Hot Load - Any load of solid waste that are on fire, smoldering or are potentially flammable by spontaneous combustion. Hot loads include wood, stove ashes, cigarette tray residue, coal ashes and clinkers, residue from a fire, etc.,.

8) Household Wastes - Household waste shall mean mixed refuse, ashes and bulk refuse originating in and around private dwellings, multiple dwellings, fraternity houses, living quarters or dining facilities located in schools, colleges or universities.

9) Inert Material - Inert material means solid waste that does not react with other substances under ordinary conditions, including but not limited to concrete, rocks, bricks, plaster, contaminated fill, building construction wastes, etc.,.

10) Junk - Junk means old, worn out, or unserviceable plumbing or heating supplies, household appliances and furniture, scrap, scrap copper, brass, rope, rags, batteries, rubber debris, waste and all scrap iron, steel and other scrap ferrous or nonferrous material or parts thereof.

11) Landfill, Sanitary - Sanitary landfill means a disposal facility for solid waste on land designed to protect the environment.

12) Landscape Refuse - Landscape Refuse means leaves, garden strubble, lawn rakings, weeds and other materials that can be composted and reused as a soil conditioner.

13) Litter - Litter means any wastes as defined by the Maine State Litter Law that have collected or scattered in an unplanned manner in any location other than the area designated for appropriate handling. For this definition litter may include manure.

14) Operator - The Town employee at the Transfer/Recycling Facility in charge of its operation and maintenance.

15) Refuse - Refuse shall mean mixed garbage and rubbish placed and stored together in a standard refuse container.

16) Resource Recovery - Resource recovery means the recovery of materials or substances that still have useful physical or chemical properties after serving a specific purpose and can be reused or recycled for the same or other purposes.

17) Rubbish - Rubbish means all cardboard, plastic, metal or glass food containers, waste paper, rags, sweepings, small pieces of wood, excelsior, rubber, leather, and similar waste materials that ordinarily accumulate around a home, business or industry. It shall not include garbage, ashes, bulk refuse, dead animals, hazardous waste, industrial waste, or building waste resulting from the operation of a contractor.

18) Salvaging - Salvaging is the controlled removal or reusable discarded solid waste.

19) Septage - Septage means waste, refuse effluent, sludge and any other materials for septic tanks, cesspools, or any other similar facility.

20) Solid Waste Facilities - means all facilities owned by the Town used to collect, transport or dispose of solid waste, to include sanitary landfills, solid waste equipment, etc, .

21) Solid Waste Management - solid waste management means purposeful systematic, and unified control or the collection, storage, transportation, processing, salvaging, and disposal of solid waste.

22) Solid Waste - solid waste means unwanted or discarded solid materials with sufficient liquid content to be free flowing, including by way of example, and not by limitation, rubbish, garbage, junk, refuse, inert household wastes materials, landscape refuse, wood wastes, white goods, but shall not include sludge, septage, hazardous wastes, agricultural or industrial wood by products.

23) Special Wastes - special wastes include that fraction of solid waste and other wastes designated by the Administrator to be handled stored or disposed of separately. Special wastes include but are not limited to white goods, tires, inert fill, hot loads, wood wastes, carrion, asbestos, oil, fuels, paints, ash, recyclable materials, etc, .

24) Storage - storage means the containment of any waste that is not hazardous for a period of less than one year in such a manner as not to constitute disposal.

25) Sludges - sludges means the concentration of solids resulting from the treatment of liquid wastes such as sewage, industrial wastes, commercial wastes, etc, .

26) Tires - tires shall include all tires, tubes, and rubber protection flaps. Tire rims are not included under this definition.

27) Transport - transport means the movement of solid waste from the point of generation to any intermediate points, and finally to the point of ultimate storage or disposal.

28) Vector - vector means a carrier, usually an insect, bird or rodent, that is capable of transmitting a pathogen from one organism to another or from one place to another.

29) White Goods - white goods means large appliances, including but not limited to stoves, refrigerators, freezers, washing machines, clothes dryers, dishwashers and air conditioners.

30) Wood Wastes - wood wastes means dry waste made of wood to include trees, stumps, brush, slabs, edgings and pallets.

31) Person - person shall mean any individual, firm, corporation, partnership or association or other entity.

SECTION II

Responsibility:

The Inhabitants of Sangerville assume responsibility for the transportation and proper disposal of wastes delivered to the Dover-Foxcroft Transfer/Recycling Facility.

The administrator of this ordinance and overall supervisor of solid waste facilities is the Town Manager of the Town of Sangerville or Dover-Foxcroft, as appropriate.

The Town of Dover-Foxcroft is responsible for the day to day operation and maintenance of the solid waste facilities.

It shall be the duty of any appropriate law enforcement agency and the operator of the Dover-Foxcroft Transfer/Recycling Facility to strictly enforce this ordinance and to see that any and all violations are promptly abated and violators prosecuted.

Other responsibilities and duties shall be as outlined in Solid Waste Facility Operational and Maintenance Manual or as designated by the Administrator.

The Board of Selectmen of the Town of Sangerville or Dover-Foxcroft may, after public hearing, adopt such rules or regulations not inconsistent with the terms of this Ordinance to promote the general purpose of the Ordinance and any amendments thereto.

SECTION III.

Management: Solid Waste Disposal

All solid waste must be disposed at the Town of Dover-Foxcroft's Solid Waste Facility unless a permit is obtained to do otherwise as discussed in Section VIII.

No person or persons shall at any time throw or deposit any solid waste or litter within the limits of any streets, highways, passageway or over any bridge, or into the waters or onto the ice of any lake, pond or river within the Town of Dover-Foxcroft or the Town of Sangerville.

SECTION IV.

Solid Waste Transportation:

All solid waste transportation within the Town of Sangerville or Dover-Foxcroft must be placed in covered containers securely fastened to the vehicle to prevent spillage and litter.

SECTION V.

Usage of Solid Waste Facilities:

Solid waste facilities owned, operated and maintained by the Town of Dover-Foxcroft shall be for the disposal of solid waste produced within the boundaries of the Town of Sangerville as per contract.

No person shall be permitted to dispose of, at the Dover-Foxcroft solid waste facility, any solid waste produced outside the Town of Dover-Foxcroft unless such waste is transported from a town that holds a current contract to use the Town of Dover-Foxcroft Transfer/Recycling Facilities. In the event such solid waste may have been unloaded by such a person, such person shall be required to remove such solid waste immediately or be prepared to pay the Town of Dover-Foxcroft \$100.00 minimum fine. ONLY USERS SHOWING A VALID PERMIT ISSUED BY THE TOWN CLERK OF SANGERVILLE SHALL BE ALLOWED TO USE THE TRANSFER/RECYCLING FACILITIES.

SECTION VI.

Operation of Solid Waste Facilities:

Any individual from contracting municipalities shall comply with all regulations or ordinance requirements when using the Dover-Foxcroft Transfer/Recycling Facilities. Any waste materials disposed of at a facility operated by the Town of Sangerville shall comply with this Ordinance and all regulations, or policy for operation for that site.

SECTION VII.

Salvage:

As per regulations, or ordinance established by the Town of Dover-Foxcroft for the use of the Transfer/Recycling Facilities.

SECTION VIII.

Solid Waste Separation:

The Town of Dover-Foxcroft's solid waste facilities will dispose of all solid waste and special wastes. Special wastes must be separated by the user and disposed in areas designated by the administrator.

Solid waste shall be separated into normal household wastes, white goods, tires (without rims), recyclable material and other wastes designated for separation by the administrator. The Town of Dover-Foxcroft facilities will not accept building debris, wood wastes, inert material, and hot loads; these materials shall be disposed of at a site designated by the Town of Sangerville.

The operator is authorized to inspect all solid waste before it is disposed of to ensure proper separation. Users found depositing unseparated waste at the transfer facility shall be in violation of this Ordinance. Users refusing to allow inspection of their solid waste shall be denied use of the solid waste facilities.

The following solid waste shall be considered unacceptable for disposal in the Town of Dover-Foxcroft's solid waste facilities.

1) All hazardous wastes and substances such as poisons, acids, caustics, infected materials, oil, explosives, flammable liquids, and wastes of unknown origins.

2) Any quantity of materials resulting from the construction or wrecking of buildings and structures or that may result from industrial or agricultural processes or landscape refuse.

Recycling:

A) It is hereby declared that recycling is a wise and prudent solid waste management technique that saves tipping fees, saves energy, reduces pollution and environmental degradation, keeps useable manufacturing material in the economy, and promotes a developing sense of waste awareness. It is therefore the policy of the Town of Sangerville and the Town of Dover-Foxcroft to encourage recycling to the maximum extent possible.

B) All solid waste shall have the following commodities separated out and in a readily handleable form, as may be required by the operator, when brought to the facility:

(6)

1. Glass - all glass, beverage glass, bottles, jars, or other forms shall be separated and delivered to the facility and shall be deposited into bins according to color - green, brown, and clear. All containers shall be rinsed clean and free of caps, covers, metal and plastic.

2. Aluminum Beverage Cans - all aluminum cans shall be separated and delivered to the facility in an easily handleable form. All cans shall be rinsed clean.

3. Newspaper - color printed will be separated from black & white and shall be securely bundled in bundles not to exceed 40 pounds in weight.

4. Magazines - not recycled at this time. To be placed in the transfer station.

5. Computer paper - shall be handled separately the same as newspaper.

6. Corrugated Cardboard - all cardboard shall be delivered, boxes broken down flat and deposited in designated area.

7. Furniture - shall be disassembled. All metal plates, arms, supports, levers, etc, shall be removed and wooden members will be placed with demolition lumber.

8. Demolition Lumber - shall be cut into manageable lengths and placed in the designated area. Lumber shall be free of nails, metal and shingles.

9. Mattresses & Bedsprings - shall be disassembled and springs removed for separate placement in the white goods area.

10. Steel, aluminum, copper, brass - items shall be separated by material type and placed in proper designated area.

11. Tires - shall be placed in designated area. Rims shall be removed from all tires.

12. Plastic Containers - including, but not limited to, milk jugs, oil cans, detergent bottles, etc., shall be washed clean and deposited in the designated area at the facility.

13. Compost - All vegetable matter including lawn, leaf and garden wastes, wet paper, pet litter, and all similar waste that will decompose to an organic/inorganic soil mixture shall be deposited in the designated area.

C. Refrigerators, stoves, freezers and other metal items shall be placed in the area designated for white goods.

D. Large tree trunks and stumps will not be accepted at the Dover-Foxcroft Facility and shall be disposed of at a site designated by the Town of Sangerville.

E. Tree limbs, branches, brush and clean wood will not be accepted at the Dover-Foxcroft Facility and shall be disposed of at a site designated by the Town of Sangerville.

F. The operator is authorized to inspect all solid waste before it is disposed of to ensure proper separation. Users found depositing unseparated waste at the transfer facility shall be in violation of this Ordinance and shall be penalized or fined as provided in Section X hereof. Users refusing to allow inspection of their waste shall be denied use of the solid waste facilities.

G. Portable radios, televisions, and other electronic equipment shall be placed in the demolition area as designated by the Town of Sangerville.

H. The following solid waste shall be considered unacceptable for disposal in the Town of Dover-Foxcroft waste facilities:

1. Large tree stumps, tree limbs, branches brush and wood.
2. Portable radios, televisions and other electronic equipment.
3. All hazardous wastes and substances such as poisons, acids, caustics, infected materials, oils, explosives, flammable liquids, and wastes of unknown origins.
4. Material resulting from the construction or wrecking of buildings and structures or that may result from industrial or agricultural processes.
5. Landscape or yard wastes.

SECTION IX.

Private Disposal Sites:

It shall be unlawful for any person, firm, corporation to dispose of solid waste at any location within the Town of Sangerville, other than town operated facility.

SECTION X.

Penalties and Fines:

A. The following fees shall be assessed by and paid to the operator for the benefit of the Town at the time of drop-off if the solid waste deposited by any person has not been properly separated according to the provisions of this Ordinance:

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| 1. Passenger vehicle | \$5.00 |
| 2. 3/4 ton truck or less | \$20.00 |
| 3. more than 3/4 ton | \$30.00 |
| 4. Commercial Hauler and
Private Contractor | \$50.00 per trip |

B. Any person or persons, firm or corporation who violates any of the other provisions of this Ordinance shall upon conviction be fined not less than fifty (\$50.00) dollars, nor more than Five Hundred (\$500.00) dollars for each offense, and each day's continuance or failure to comply herewith shall constitute a separate and distinct offense for each of said days and shall be punishable as such.

C. In addition to the foregoing, any person who violates any provisions of this Ordinance may be evicted from the transfer/recycling facility and future admittance until authorized by the administrator. Such person may also be sued for trespass by the municipality.

SECTION XI.

Severability:

Should any section or provision of this Ordinance be declared by the courts to be invalid, such decision shall not invalidate any other section or provision of this Ordinance.

SECTION XII.

Effective Date:

The effective date of this Ordinance shall be the commencement of use of the Dover-Foxcroft Transfer/Recycling Facility. The first 30 days being a grace period for appropriate separation of solid waste products as outlined herein. The Board of Selectmen shall determine the exact effective date consistent with the provisions of the Ordinance.

This Ordinance was duly adopted at a Special Town Meeting conducted July 13, 1993, under Article 2.