

**TOWN OF VASSALBORO
SOLID WASTE & RECYCLING ORDINANCE**

Adopted: May 1988

Amended: 2024

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SECTION I AUTHORITY

The Town of Vassalboro Solid Waste Ordinance was prepared and enacted pursuant to the authority granted in Title 30-A, Part 2; Title 38, Chapter 13, Sub Chapter 1.

SECTION II PURPOSE

The purpose of the ordinance is to protect the health, safety and general well-being of the citizens of the Town, to enhance and maintain vector control, the quality of the environment, conserve natural resources and prevent water and air pollution by providing a comprehensive, rational and effective means of regulating the disposal of solid waste in the Town of Vassalboro.

This Ordinance applies to all generators of Solid Waste in the Town of Vassalboro including but not limited to residential, commercial, industrial, and governmental. All domestic and commercial wastes generated in the Town can either be disposed of at the Vassalboro Transfer Station and Recycling facility or contracted with a private company and hauled to another disposal facility.

SECTION III DEFINITIONS

Acceptable Waste: Acceptable waste includes ~~but not limited to~~ household waste, municipal solid waste, commercial waste, construction and demolition debris, white goods, yard waste, tree and brush waste.

Refer to the Transfer Station Operations Manual for a current list of Acceptable Waste.

Attendant: Attendant refers to a Town employee hired to assist in the operations of the Transfer Station. Their direct supervisor is the Transfer Station Manager. Transfer Station Manager is also considered an Attendant when on site.

Bulky Waste: Bulky waste consists of, but not limited to, construction and demolition debris, masonry debris, wood waste, landscape refuse, household furniture.

Carrion: Carrion refers to animals, birds, and other living creatures that have died naturally or have been accidentally killed. Animals or parts of animals from slaughter houses are not included in this category.

Commercial Hauler: Commercial Hauler refers to an individual or company engaged in collecting solid waste and/or recycle materials from private residences, apartments, mobile home parks, or businesses for a fee.

Composting: Composting refers to the biological decomposition and stabilization of organic matter under controlled aerobic conditions of high temperature.

Construction and Demolition Debris: Construction and Demolition (C&D) debris is a type of waste that is not included in Municipal Solid Waste (MSW). C&D includes, but is not limited to, any material such as lumber, roofing material, brick, concrete block, plaster, gutters, sand, gravel or other substances used in repairs or alterations of existing buildings or construction of new buildings, or results from demolition of existing buildings.

Electronic Waste: Electronic waste (E-waste) is a generic term used to describe all types of old, end of life, or discarded electrical and electronic equipment.

Attempts will be made to recycle all electronics. Those not capable of recycling will be disposed of in accordance with MRSA 38, Chapter 16, Section 1610.

Garbage: Garbage refers to all putrescible animals or vegetable wastes resulting from the handling, preparation, cooking, and consumption of food in any private dwelling house, or multiple dwelling (e.g., hotel, restaurant, building, or institution).

Hazardous Waste: Hazardous Waste refers to any substance/material with any of the following characteristics: ignitability, corrosivity, reactivity, or toxicity.

Municipal Solid Waste (MSW): MSW more commonly known as trash or garbage, consists of everyday items we use and then throw away.

Recyclables: Recyclables refers to those materials, or categories of materials identified by the Transfer Station Manager, as having a viable secondary use.

Septage: Septage refers to waste, refuse, effluent, sludge and any other materials from septic tanks, cesspools, or any other similar facility.

Special Wastes: Special wastes include that fraction of solid wastes and other wastes designated by the Town to be handled, stored, or disposed separately. Special wastes include, but are not limited to white goods with freon, tires, inert material carrion, oil, and paints.

Sludge: Sludge refers to the concentration of solids resulting from the treatment of liquid wastes such as sewage, industrial wastes, commercial wastes.

Town: Town refers to the Town of Vassalboro.

Transfer Station: Transfer Station refers to a facility that is constructed and managed to store, dispose and/or process solid wastes and recyclables intended to be transported to another facility.

Transfer Station Manager: Transfer Station Manager has the responsibility to oversee, properly operate and maintain Transfer Station Facility.

Unacceptable Waste: Unacceptable waste refers to solid waste which is not Acceptable Waste and includes, but is not limited to, sewage and its derivatives, Sludge, Hazardous Waste and Special Waste, or as specified through the Town's

contracted waste handler. Other unacceptable items or materials will be determined by the Transfer Station Manager or Attendant.

Refer to the Transfer Station Operations Manual for a current list of unacceptable wastes.

Vector: Vector refers to a carrier, usually an insect, bird, or rodent, which is capable of transmitting a pathogen from one organism to another or from one place to another.

SECTION IV AUTHORIZED USE

The Transfer Station shall be open as determined by the Town of Vassalboro Personnel Handbook and carried out by the Town Manager, in conjunction with the Select Board. Waste will be deposited at the Transfer Station only within the hours of operation. Hours of operation will be included in the Transfer Station Operational Manual.

The availability and use of the Transfer Station shall be limited to residents and/or property owners of the Town (or their contractors), for the sole purpose of disposing of Solid Waste generated within the Town.

All vehicles utilizing the Transfer Station must display a valid Transfer Station permit (this includes Commercial Haulers). Permits are issued annually, valid for the calendar year, and are available at the Transfer Station. Proof of residency is required in order to acquire a permit. Verification of residency shall be made by showing at least two of the following, but not limited to, a valid vehicle registration, rental agreement, property tax bill, current mail or driver's license.

Non-resident contractors must provide a letter or contract from the resident for whom the work is being done to include the name, address, telephone number and a description of the work being conducted in the Town of Vassalboro prior to being allowed to dispose of Acceptable Waste. This in no way removes the responsibility of any disposal fees due from the contractor.

Commercial Haulers must register with the Transfer Station Manager annually and agree in writing (on a Town approved form) to abide by all rules and regulations of the Town of Vassalboro Solid Waste and Recycling Ordinance.

It shall be unlawful for any person to burn or incinerate any Municipal Solid Waste within the Town, other than in an approved incinerator. Cross-Reference: 06-096 C.M.R. Ch. 102 (Maine Department of Environmental Protection regulations related to open burning); 12 M.R.S.A. §§ 9301, 9324 (statutory provisions enforceable by the Department of Conservation, Bureau of Forestry).

SECTION V RECYCLING

The Transfer Station Manager will determine appropriate methods to handle the recyclables, and communicate verbally and in a flier made available to residents. It is

currently mandated that all corrugated cardboard shall be separated, flattened and deposited in the designated recycling container, and that all leaf and garden waste shall be deposited in the compost area at the Transfer Station Facility. Collection and separation priorities reflect short-term needs of our recycling goals, and will be changed as markets evolve.

All residents are encouraged to separate out other recyclables deemed by the Transfer Station Manager to have a secondary market/use, and place in appropriate recycling areas. A list of current recyclables can be found in the Transfer Station Operations Manual, the Town website, and from the Transfer Station attendants.

SECTION VI ADMINISTRATION AND MANAGEMENT RESPONSIBILITY

The Town Manager is the administrator of this Ordinance and has final responsibility for the administration of the Transfer Station. The Transfer Station Manager in coordination with the Town Manager shall oversee and maintain safe daily operations of the transfer station, and to supervise all Attendants on site. Select Board may establish by orders the rules and regulations governing the availability and use of the Transfer Station.

The operation of the Transfer Station shall conform to all pertinent regulations and directives of all local, county, state or federal agencies that may have jurisdiction. It shall be the duty of the Transfer Station Manager to strictly enforce this Ordinance. The Attendant in charge shall be responsible for the operation of the Transfer Station. No person using the Transfer Station shall violate any directive put forth by the Attendant or by this Ordinance. The Attendant(s) may examine any material brought to the Transfer Station to ensure that this Ordinance is in compliance. The Attendant(s) may refuse to accept any solid waste that is deemed hazardous or that is not separated in accordance with this Ordinance. Prompt summons of any violators of the Ordinance shall be the special duty of the Chief of Police.

Other responsibilities and duties shall be as outlined in the Transfer Station Operations Manual or as designated by the Town Manager.

Solid Waste shall be disposed at the Solid Waste Disposal Facility only during the times designated by the Board of Selectmen.

The Vassalboro Transfer Station shall be operated in accordance with the Maine Department of Environmental Protection (DEP) regulations, the operation and maintenance manuals or as designated by the DEP or the Town Manager.

All solid waste delivered and deposited for disposal at the Vassalboro Transfer Station shall become the property of the Town. No person shall separate, collect, carry off or dispose of such materials unless authorized in writing by the Town Manager.

SECTION VII TRANSFER STATION FEES

Fees at the Transfer Station will be determined by the Select Board and included in the Transfer Station Operations Manual. The current list will also be posted on the Vassalboro website and printed copies available for residents at the Transfer Station and the Town Office.

SECTION VIII LITTERING

A person may not throw, drop, deposit, discard, dump or otherwise dispose of litter in any manner or amount in or on public highway, road, street, alley, public right-of-way or other public lands, except in a container or receptacle or on property that is designated for disposal of garbage and refuse.

All solid waste transported within the Town must be placed in covered containers securely fastened to the vehicle to prevent spillage and litter. Each resident and business shall be responsible for the transportation of solid waste from their property to the Transfer Station, and deposit into designated containers or areas. Violators are subject to Maine State Littering laws. Title 17, §2263-A: Littering.

SECTION IX PENALTY

It shall be the duty of the Vassalboro Police Chief to enforce the penalty provisions of this Ordinance and any other applicable State law. In the event of a violation, as determined by the Attendant, the offending party will be notified in writing and punished by a fine in amounts established by the Select Board. Said notice shall explain the nature of the violation and shall include: identification of violator, demographic information, vehicle registration, and waste that was dumped and the amount of the fine. Fine amounts for successive occurrences will be the base fine multiplied by the number of the offence occurrence in the calendar year, i.e. 2nd occurrence is base fine times 2.

In addition to the foregoing penalty provisions, any person violating any provision of this Ordinance shall be liable to reimburse the Town for costs of enforcement, including reasonable attorney fees and court costs.

Any Licensed Commercial Hauler who violates any provision of this Ordinance may, in addition to the fine above, have his/her permit revoked for up to two (2) years and forfeit all permit fees. The Town Manager may revoke a permit after notifying an operator of a violation and conducting a hearing on the matter. Public notice of the hearing will be posted in accordance with standard public hearing requirements.

SECTION X SEVERABILITY AND CONFLICT WITH OTHER ORDINANCES

Should any section, paragraph, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid for any reason, the remainder of said Ordinance shall not be affected thereby. Whenever the requirements of this Ordinance are inconsistent with the requirements of any other ordinance, code, or statute, the more restrictive requirements shall apply.

Section XI AMENDMENTS

This ordinance may be amended by a majority vote of the Town meeting. Amendments may be initiated by a majority vote of the Select Board, or on petition of registered voters equal to ten (10%) of the votes cast in the last gubernatorial election in the Town. The Select Board shall conduct a public hearing on any proposed amendment.

SECTION XII EFFECTIVE DATE

The first effective date of this ordinance was June 4, 1988. The effective date of this revised Ordinance is June 11, 2024.

Select Board of Vassalboro

Christopher French, Chair

Rick Denico, Selectboard member

Mike Poulin, Selectboard Member