

TOWN OF VASSALBORO
SOLID WASTE & RECYCLING ORDINANCE

Adopted: May 1988

Amended: 2023

Effective: 2024

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SECTION I AUTHORITY

~~This Ordinance has been prepared and adopted pursuant to the provisions of Title 30 Sections 1917, 2151 and Title 38 Section 1721.~~

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 by providing rules and regulations for the proper operation of the Town landfill and Transfer Station Facility, herein after called the Solid Waste Disposal Facility, and to provide that all wastes generated in the Town are disposed of at the Solid Waste Disposal Facility. 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

~~Administrator: Administrator is the municipal officer who has final responsibility for administration of the Solid Waste Disposal Facility.~~

~~Ashes: shall mean residue from the combustion of solid fuels.~~

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 ~~shall mean~~ 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.

~~Demolition Debris: See Inert Material.~~

~~Department: Department shall mean the Public Works Department.~~

~~Equipment, Backup: Backup equipment means equipment available to the site supervisor within a certain period of breakdown of the primary Solid Waste Facility equipment.~~

~~Equipment, Solid Waste: Solid waste equipment means any equipment including buildings on-site used for solid waste storage, compaction, transfer, covering, grading, and other operational activities.~~

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 means 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 means a substance designated as hazardous by the Department of Environmental Protection such as poison, corrosive agents, etc.~~ Hazardous Waste refers to any substance/material with any of the following characteristics: ignitability, corrosivity, reactivity, or toxicity.

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

~~Household Wastes: Household wastes 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.~~

~~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.~~

~~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.~~

~~Landfill, Sanitary: Sanitary landfill means a disposal facility for solid waste on land designed to protect the environment.~~

~~Landscape Refuse: landscape refuse means leaves, garden stubble, lawn rakings, weeds and other material that can be composted and refused as a soil conditioner.~~

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

~~Refuse: Refuse shall mean mixed garbage and rubbish placed and stored together in a standard refuse container.~~

~~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.~~

~~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 operations of a Contractor.~~

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

~~Salvaging: Salvaging is the controlled removal of reusable discarded solid waste.~~

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

~~Solid Waste Disposal Facility: Means all facilities owned by the Town used to transport or dispose of solid waste, to include the sanitary landfill, solid waste equipment, etc.~~

~~Solid Waste Management: Solid waste management means purposeful, systematic, and unified control of the collection, storage, transportation, processing, salvaging, and disposal of solid waste.~~

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

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, hot loads, wood wastes carrion, asbestos, oil, fuels, and paints ash, recyclable materials, etc.

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

~~Tires: Tires shall include all tires, tubes, and rubber protective flaps. Tire rims are not included under this definition.~~

Town: Town refers to the Town of Vassalboro.

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

Transfer Station Supervisor Manager: Transfer Station Supervisor Manager has the responsibility to oversee, properly operate and maintain Transfer Station Facility. His direct supervisor is the Public Works Road Foreman and he works under that department.

~~Transport: Transport means movement of solid waste from the point of generation to any intermediate points, and finally to the point of ultimate storage or disposal.~~

~~Unacceptable wastes: This category shall include, but not be limited to, the following items:~~

- ~~—— Leather over 4" or 5" long~~
- ~~—— Rugs~~
- ~~—— Plastic sawdust~~
- ~~—— Metals~~
- ~~—— Metal strapping~~

- ~~_____ Furniture~~
- ~~_____ Long pieces of rope~~
- ~~_____ Tires with wheels~~
- ~~_____ Batteries~~
- ~~_____ Wire~~
- ~~_____ Nylon in spools~~
- ~~_____ Mattresses~~

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 means 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.

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

~~Wood Wastes: Wood waste means dry waste made of wood to include trees, stumps, brush, slabs, edgings and pallets.~~

~~SECTION IV. GENERAL PROVISIONS AND PROHIBITIONS~~

- ~~1. All waste generated or produced within the legal borders of the Town of Vassalboro shall be delivered to the Solid Waste Disposal Facility, except as shown below, or as otherwise provided for by State Law.~~
- ~~2. All residents, private or commercial haulers, or other legally authorized individuals delivering waste to the Solid Waste Disposal Facility shall be required to separate and dispose of all wastes as follows:~~

Transfer Station

- ~~_____ Household Wastes~~
- ~~_____ Garbage~~
- ~~_____ Refuse~~
- ~~_____ Landscape Refuse or Litter~~

White Goods Area

- ~~_____ Junk~~
- ~~_____ White Goods~~

~~Wood waste Disposal Area~~

- ~~_____ Trees, brush and other wood wastes~~
- ~~_____ Stumps or large tree trunks Inert Material or Demolition Debris~~

~~Hot Loads Area~~

- ~~_____ Hot Loads~~

~~Not Accepted~~

- ~~_____ Hazardous Wastes~~
- ~~_____ Carrion~~
- ~~_____ Septage~~
- ~~_____ Sludge~~

~~To Be Determined by the Transfer Station Supervisor~~

- ~~_____ Unacceptable Wastes~~

- ~~1. In regards to unacceptable wastes, it shall be the responsibility of the resident, with assistance from the Transfer Station Attendant, to assure that such items are not disposed of in the Transfer Station Facility.~~
- ~~2. As provided for by State Law, the Town may not accept any wastes from commercial operations depending on, but 'not necessarily limited to, quality and quantity.~~
- ~~3. 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 his property to the Solid Waste Facility.~~
- ~~4. Solid waste facilities owned, operated and maintained by the Town, shall be for disposal of solid wastes produced within the boundaries of the Town. All users of the solid waste facilities must obtain a decal from the Administrator or his designated representative. This decal must be in the possession of all users when depositing solid waste. Persons, firms or corporations without a decal will be denied use of the Solid Waste Facility.~~

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 V. — ~~MANAGEMENT RESPONSIBILITY~~

~~The Town, through the Board of Selectmen, assume overall responsibility for Town-owned Solid Waste Disposal Facility and for the proper disposal of wastes accepted there.~~

~~The Administrator of this Ordinance and overall Supervisor of the Solid Waste Disposal Facility is the Town Manager.~~

~~The Public Works Department is responsible for the day-to-day operation, and maintenance of the Solid Waste Disposal Facility.~~

~~It shall be the duty of the Public Works Department's Transfer Station Attendant to strictly enforce this Ordinance and to see that any and all violations are promptly abated and violators prosecuted, and it shall be the special duty of the Chief of Police and all Policemen to promptly summons any violators of this Ordinance.~~

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 Solid Waste Disposal Facility Operational Transfer Station Operations Manual or as designated by the Administrator Town Manager.

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

The ~~Solid Waste Disposal Facility~~ 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 ~~Administrator~~ 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 VI. PENALTY

~~Any person or persons, firm or corporation who violates any of the provisions of this Ordinance shall be deemed guilty of a misdemeanor and upon conviction shall be fined not less than fifty dollars (\$50) nor more than five hundred dollars (\$500) 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 punished as such.~~

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 VII-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 VIII XII EFFECTIVE DATE

~~This Ordinance shall take effect and be in force from the date of adoption June 4, 1988~~
The first effective date of this ordinance was June 4, 1988. The effective date of this revised Ordinance is June "X", 2024.

~~Given unto our hands this 25th day of May, 1988~~

~~Philip W. Haines~~

~~Brett E. Hoskins~~

~~Dudley E. Foley~~

~~Selectmen~~ Select Board of Vassalboro

[insert names]