

# **SOLID WASTE ORDINANCE**

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## **ST. GEORGE, MAINE**

### **SECTION I. - TITLE**

This ordinance shall be known and may be cited as the "SOLID WASTE AND RECYCLING ORDINANCE OF THE TOWN OF ST. GEORGE, MAINE".

### **SECTION II. - STATEMENT OF PURPOSE AND AUTHORITY**

#### **A. PURPOSE**

The purpose of this ordinance is to protect the health, safety and general well being of the citizens of St. George; enhance and maintain the quality of the environment; conserve natural resources and prevent water and air pollution.

#### **B. AUTHORITY**

Authority for this ordinance is the Charter of the Town of St. George, Maine.

### **SECTION III. - DEFINITIONS**

As used in the following sections, these words have the following meanings:

**COMMERCIAL HAULER** - means any business that is compensated for hauling solid waste or that hauls commercially generated solid waste, including demolition and construction debris and restaurant waste. Persons hauling solid waste for apartment buildings, motels, hotels and inns shall be considered commercial haulers.

**CONTRACTOR** - means any person who agrees with another to undertake special work according to price, specifications and terms agreed on, and any person engaged in the construction, alteration or repair of buildings or other structures, sidewalks or driveway pavements, or engaged in lawn maintenance and landscaping.

**DEMOLITION AND CONSTRUCTION DEBRIS** - means lumber, asphalt, shingles, insulation and other similar materials. It does not include asbestos.

**HOUSEHOLD REFUSE** - means refuse commonly generated by usual domestic activities. It does not include material defined as demolition and construction debris and furniture, white goods, tires, abandoned automobiles and any item that exceeds sixty (60) pounds in weight or four (4) feet in any dimension.

**INERT MATERIAL** - means bricks, masonry, etc.

**METAL GOODS** – shall include such material as steel, aluminum, tin, etc.

**PERSON** - means any individual, association, partnership, firm, corporation or other entity or their agents.

**RESIDENT** - means any person who resides or owns property within the Town of St. George or within any town which may be a party to a solid waste agreement with the Town of St. George.

**SOLID WASTE** - means unwanted or discarded solid material with insufficient liquid content to be free flowing, including, but not limited to, rubbish, garbage, scrap materials, junk, refuse and construction and demolition debris. It does not include septage or agricultural waste.

**RESTAURANT WASTE** - means solid waste generated by restaurants, commercial dining facilities, and ready-to-eat food vending establishments.

**WHITE GOODS** - mean refrigerators, stoves, freezers, washing machines, clothes dryers, air conditioners and other large, predominantly metal household appliances.

**UNIVERSAL WASTE**- means televisions, computers and monitors, fluorescent light bulbs, mercury devices and thermometers and batteries.

**BROWN GOODS** - mean radios, and other household electronics.

#### **SECTION IV. - ADMINISTRATION**

The Select Board shall establish the fees, rules and regulations required for the municipality to conform to the standards and requirements set forth in this ordinance, subject to any requirements for public hearings. Rules and regulations shall also conform to all pertinent regulations or directives of all local, county, state or federal agencies which may have jurisdiction.

There shall be a Recycling and Solid Waste Committee consisting of five (5) voting members with staggered three year terms. Two (2) alternate members shall be appointed for a one year term. Voting members shall elect their chairman and the secretary annually by secret ballot at the first regular meeting of the Recycling and Solid Waste Committee after the Select Board complete the annual appointments. An alternate may only vote in the absence of a regular member. The Chairman shall delegate which alternate votes. The Solid Waste Department Head shall attend Recycling and Solid Waste Committee meetings as a member ex officio. The Recycling and Solid Waste Committee shall make recommendations for an effective recycling program and advise on all phases of the municipal solid waste operation. The Chairman shall submit to the Municipal Officers by January 15th of each year a written report of the previous year's activities, the same report to be included in the annual town report.

#### **SECTION V. - PERMIT REQUIREMENT AND FEES**

##### **A. Permit Required**

A permit from the Town Office shall be required to dispose of solid waste at the facility. Proof of residency may be required as proof of residency in order to obtain a permit.

##### **B. Commercial Permits**

All commercial haulers disposing of solid waste at the facility shall be required to obtain a permit from the Town Office.

#### C. Permit Displayed

The permit sticker must be displayed in a conspicuous place in order to gain access to the facility.

#### D. Permit Fees

The Select Board may set fees for permits for Commercial Haulers, Contractors, and businesses not serviced by commercial haulers.

The Select Board may set load fees for the following:

- 1) Brush and construction and demolition debris. Fees may vary according to the size of the load.
- 2) Waste Oil [per gallon]
- 3) Tires
- 4) White Goods
- 5) Storage Batteries
- 6) Brown Goods
- 7) Propane Tanks
- 8) Universal Waste
- 9) Other Items as necessary

### **SECTION VI. - DISPOSAL REQUIREMENTS**

#### A. Responsibility

It is the responsibility of each resident to provide proper disposal of all solid waste generated on his premises in accordance with the requirements of this ordinance. This responsibility includes the voluntary separation of solid waste, delivery of solid waste to the facility, proper home storage of solid waste and proper methods of home disposal. All residents must ensure that solid waste stored on their premises does not create a nuisance. While refuse generated in households and commercial establishments should be taken to the facility for recycling and ultimate disposal, home composting of kitchen wastes, yard and garden wastes and other organic materials is encouraged.

#### B. Separation of solid waste

The Town of St.George requires separation of solid waste delivered to the facility. Any solid waste that is not separated according to the requirement of this section shall be subject to the penalties for unseparated trash set forth in Section IX.

- 1) Compactor - All household refuse generated in households and commercial establishments shall be placed in the compactor. Large items shall be broken down into pieces not exceeding four feet (4') in any dimension. Hard to burn material, such as seafood processing wastes, must be delivered in manageable quantities. No fluids shall be delivered to the compactor. While the separation of recyclable materials is not mandatory at this time, the Town of St.George does encourage the separation of recyclable materials, such as newspapers, glass, plastics, etc., to reduce the costs involved with handling solid waste.

2) Storage Areas - The following materials (which may include but not limited to the following list) shall be separated from the solid waste stream and deposited in specifically designated areas, which may include:

- a) Scrap Metal - All metal items such as white goods, sinks, as well as all pieces of iron, steel and copper.
- b) Wood Demolition Debris and Wood Waste - Wood waste may include uncontaminated brush, lumber, bark, wood chips, shavings, edgings, slash and sawdust.
- c) Demolition Debris - all construction and demolition debris other than wood waste and scrap metal deposited according to sections a) and b) above.
- d) Tires - all vehicle tires.
- e) Compost - compost material will be accepted when an area is available.
- f) Waste oils separated by type and contamination.

#### C. Delivery of Wastes

- 1) All wastes delivered to the facility must be transported in a manner to prevent littering. Acceptable methods include:
  - a) In covered containers or bags,
  - b) Enclosed vehicles such as compactors or containers, and
  - c) Open body vehicles with the load secured.
- 2) Solid waste that has been sorted for delivery to a designated area by a client of a commercial hauler, and has been received by the commercial hauler in that manner, shall be delivered to the transfer station properly separated for processing and placed in the designated areas.

## SECTION VII. - UNACCEPTABLE WASTES

#### A. Waste originating out of town

Only wastes generated within the boundaries of the Town of St. George or contracted municipalities and properly sorted will be accepted at the facility. It is illegal to dispose of wastes originating from other municipalities at the facility.

#### B. Unacceptable categories

The following categories of wastes will not be accepted by the facility:

- 1) Liquid Wastes (except waste oil and antifreeze);
- 2) Empty containers that contained regulated pesticides or herbicides;
- 3) Containers that have chemical residue inside;
- 4) Special wastes, defined by the DEP as any non-hazardous waste generated by sources, other than domestic and typical commercial establishments, that exist in such an unusual quantity or in such a chemical or physical state, or any combination thereof, which may disrupt or impair effective waste management or threaten the public health, human safety or the environment and requires special handling, transportation and disposal

procedures. Special waste includes, but is not limited to:

- a) Coal, wood and multi-fuel boiler and incinerator ash;
- b) Industrial and industrial process waste;
- c) Wastewater treatment plant sludge, paper mill sludge and other sludge;
- d) Debris and residuals from non-hazardous chemical spills and cleanup of those spills;
- e) Contaminated soils and dredge spoils;
- f) Asbestos and asbestos-containing waste;
- g) Sandblast grit and non-liquid paint waste (paint chips or scrapings);
- h) Medical and other potentially infectious or pathogenic waste;
- i) High and low pH waste;
- j) Spent filter media and residue;
- k) Animal carcasses; and,
- l) Tree stumps

## **SECTION VIII. - FACILITY OPERATION**

### **A. Hours**

The hours of operation for the facility shall be set by the Select Board .

### **B. Access**

Access to the facility shall be only during the hours of operation unless upon express permission from the Solid Waste Department Head.

### **C. Disposal**

Wastes shall be disposed in separate designated areas.

### **D. Scavenging**

No person may remove any article or object which has been disposed of at the facility without permission of the site operator.

## **SECTION IX. - PENALTIES AND ENFORCEMENT**

### **A. Violations**

The Select Board shall review any alleged violation of this ordinance and take appropriate action as required. The Select Board shall institute any necessary proceedings to enforce this ordinance.

### **B. Enforcement**

Enforcement of this ordinance is the responsibility of the law enforcement officers and the Select Board of the Town of St.George.

### C. Penalties

Any person found in violation of any of the provisions of this ordinance may lose privileges and shall be subject to a civil penalty in an amount not less than \$50 nor more than \$500 for each offense, except the minimum penalty for a second offense within a twelve month period shall not be less than \$250. Each act of violation and every day upon which any such violation shall occur shall constitute a separate offense. All civil penalties shall accrue to the Town of St. George.

## **SECTION X. - VALIDITY AND CONFLICT OF ORDINANCES**

The invalidity of any section, subsection, paragraph, sentence, clause, phrase or word of this ordinance shall not be held to invalidate any other section, subsection, paragraph, sentence, clause, phrase or word of this ordinance; and to this end, the provisions of this ordinance are hereby declared to be severable.

In any case where a provision of this ordinance is found to be in conflict with a provision of any other ordinance or code of the Town of St. George existing on the effective date of this ordinance, the condition which establishes the higher standard for the promotion and protection of health and welfare for the community shall prevail.

## **SECTION XI. - EFFECTIVE DATE**

This ordinance takes effect immediately upon adoption by the Town of St. George at its Town Meeting.

ADOPTED -

AMENDED - March 12, 2007; March 8, 2010; May 14, 2012

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Chairman, Select Board

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John M. Falla, Town Clerk