

NEW HAMPTON SOLID WASTE *ORDINANCE*

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Section 1. Purpose

The purpose of this Solid Waste Ordinance is to provide for the disposal of Municipal Solid Waste in a safe, economical and environmentally sound manner for residents, non-resident property owners and visitors. This disposal includes provision for the separation of recyclable materials for the purpose of reducing the waste stream.

Section 2. Authority

The Town of New Hampton, New Hampshire hereby adopts these regulations governing the operation and use of municipal solid waste facilities within its borders under the authority granted by NH RAS 149-M: 17 and RSA 31:39, as amended.

Section 3. Definitions

ATTENDANT shall mean an employee of the Town of New Hampton licensed by the State of New Hampshire to operate a solid waste facility.

COMMERCIAL HAULER shall mean any person who provides refuse handling, removal or disposal services for any other person as a commercial enterprise.

FACILITY shall mean the Transfer Station/Recycling Center on 26 NH Route 132N owned and operated by the Town of New Hampton.

OPERATOR shall mean an employee of the Town of New Hampton licensed by the State of New Hampshire to operate a solid waste facility and supervise the facility operations.

PERMIT shall mean a tag, in a form specified by the Board of Selectmen, indicating permission to use the facility.

SOLID WASTES is defined by the New Hampshire Code of Administrative Rules Part He-P 1901.03 (bb), except that it shall not include septage, sludge from wastewater treatment facilities, or other liquid wastes. Waste materials generated by or resulting from industrial operation are also not included in this definition. Also excluded are hazardous and infectious wastes, as defined by the New Hampshire Code of Administrative Rules Part He-P 1901.03 (v), (x).

Section 4. General Provisions

4.1 Facility Use

The facilities may be used only by residents/businesses and non-resident property owners of the Town of New Hampton for the proper disposal of acceptable solid wastes **generated in the Town of New Hampton.**

Users of the facility shall be held liable for all damages they may cause to the facility and/ or personnel.

The facility attendant shall have the authority to refuse admittance to any person who misuses the facility or who does not have a valid permit.

4.2 Disposal

Acceptable solid wastes shall be placed in an appropriate container or area as directed by the attendant on duty. The disposal of any waste in unauthorized areas is prohibited. The driver of any vehicle spilling materials at the facility or dropping a contaminated load shall be responsible for clean up.

Those users of the facility with Municipal Solid Waste (MSW) loads larger than that carried in a standard pick up truck or with more than one delivery per day are required to notify the attendant in order to work out an acceptable arrangement for delivery.

4.3 Hours of Operation

Hours of operation are to be determined by the Board of Selectmen. Acceptable solid wastes may only be disposed of during the posted hours of operation. The Board may, after holding a public hearing, adjust the days and hours of operation.

The hours of operation for the facility shall be:

Monday 10:00noon -4:00pm (April 1-Oct.1 6:00pm)

Wednesday 10:00am-4:00pm

Saturday 8:00am-4:00pm

The facility is closed on legal holidays.

Section 5. Permits and Other Fees

A permit shall be required for the disposal of any waste at the facility. Fees shall be set by the Board of Selectmen and may be changed only after a public hearing. Fees are listed in Appendix A. The types of permits issued include:

5.1 Resident Permit

Issued to any full time resident (personal or business) of the Town of New Hampton. Permits are obtained from the Town Clerk/Tax Collector and must be displayed prominently on the vehicle. These permits expire in April of each year.

5.2 Temporary/Visitor Permit

Issued by the Board of Selectmen to non-resident property owners and visitors to the Town of New Hampton. Proof of lodging in the Town may be required of non-resident property owners or visitors.

Temporary/visitor permits shall be issued for a period to be determined by the Board of Selectmen.

5.3 Construction Permit

Contractors may be issued a temporary permit by the Board of Selectmen for the disposal of waste generated while working in the Town of New Hampton. A copy of the building permit or other documents testifying to the work being done will be required for the issuance of the permit. Construction permits shall be issued for a period not to exceed 30 days and are not transferable.

5.4 Commercial Permit

Issued by the Board of Selectmen to commercial haulers serving residents of the Town of New Hampton. A list of names, addresses and telephone numbers of customers being served must be provided to the Town before a permit will be issued. These permits expire in April of each year.

5.5 Other Fees

Other fees for permits and for disposal of specific items shall be charged to offset the cost of disposal. These fees are set out in Appendix A.

Section 6. Acceptable Wastes

Only those wastes generated within the Town of New Hampton are allowed into the Facility.

Acceptable solid wastes are listed below. These are the only solid wastes, which will be accepted at the Facility.

6.1 Rubbish

Includes regular household wastes such as foods, wrappings, non-recyclable containers, etc. These wastes shall be placed in the compactor.

6.2 Bulky Wastes

Includes couches, chairs, mattresses, etc. Materials such as metals shall be separated from these wastes. These items will be placed in the roll off container designated for bulky items.

6.3 Construction/Demolition Debris

Includes building materials such as sheet rock, wood, shingles, etc. These items will be placed in the roll off container designated for construction & demolition debris. Shingles will be restricted to one 30-gallon trash bag or barrel per day.

6.4 Metals

Includes metal items free of wood, rubber, plastic, etc. Those items longer than six feet must be dismantled or cut. These items will be placed in the metals pile as directed by the attendant. Whole junk cars are not accepted.

The following is a description of the metals accepted.

- (a) White goods include refrigerators, freezers, air conditioners must be segregated from other metals as they require special handling to remove chloroflouro-carbons (CFC's) before processing.
- (b) Light Iron includes bedsprings, sheet metal, bicycles, etc.
- (c) Cast Iron includes hot water heaters and cast-iron tubs. Also included in this category is heavy metal with a thickness of ¼ inch or greater.
- (d) Aluminum includes siding, roofing, lawn chairs, etc.
- (e) Brass and copper includes plumbing and electrical wiring.

6.5 Tires

Automobile, motorcycle, bicycle or truck tires will be accepted at the facility. These shall be placed in the tire pile as directed by the attendant.

6.6 Waste Oil

Used oil from cars, motorcycles or trucks will be accepted at the recycling building and disposed of as directed by the attendant.

6.7 Batteries

Car, truck and motorcycle batteries will be accepted at the recycling building and disposed of as directed by the attendant.

6.8 Brush/Limbs

Includes tree limbs, bushes, etc. These shall be disposed of as directed by the attendant.

6.9 Yard Wastes

Includes leaves, grass clippings, etc. These shall be disposed of as directed by the attendant.

Section 7. Unacceptable Wastes

Unacceptable solid wastes are listed below. In most cases there are alternate means of disposal available.

7.1 Asbestos Materials

Includes siding, floor tiles, pipe insulation, fire resistant board, etc. with substantial asbestos content.

7.2 Infectious Wastes

Includes wound and skin isolation wastes, pathology wastes, laboratory wastes, used syringes, animal carcasses, etc.

7.3 Household Hazardous Wastes

Include but are not limited to the following products:

- (a) Kerosene, gasoline, turpentine, solvents and other products which burn easily;
- (b) Gun powder and other explosives;
- (c) Drain and oven cleaners, battery acid, metal polish and other products which are corrosive;
- (d) Sludge or septic waste from septic tanks, waste water or water treatment, earth materials from spent leach fields, etc.;
- (e) Ash residue from incinerators or waste to energy facilities.

7.4 Other

Any other material which, in the opinion of the Facility attendant and the Town of New Hampton, constitutes a serious hazard to the other users of the Facility, to property or is prohibited by Federal or State statute.

Section 8. Recyclables

Separation of recyclables identified in this section shall be done on a voluntary basis until such time as the Town shall vote to make it mandatory. Markets require that materials be reasonably clean and dry.

8.1 Aluminum Containers (UBC's)

This shall include empty, clean, dry food containers made of either tin or steel of one quart or smaller. Includes cans.

8.2 Tin/Steel Containers

This shall include empty, clean, dry food containers made of either tin or steel of one quart or smaller. Includes dog and cat food, coffee and other food cans.

8.3 Plastic Containers

This shall mean both hard and soft recyclable plastics identified by a number (1-7) within the triangular recycling symbol, usually found on the bottom of the container. These items must be empty, clean and dry with the tops removed. Includes, but not limited to: soda bottles (#1), milk jugs (#2 clear) and detergent & motor oil bottles (#2 colored).

8.4 Newsprint

This shall mean clean, dry newspaper, and does not include magazines, cardboard, office paper, junk mail, etc. Newspaper inserts are acceptable.

8.5 Corrugated

This shall mean clean, dry corrugated cardboard and paper shopping bags normally used in a super market. Cereal boxes and low grade cardboard are not recyclable.

8.6 Glass Containers

This shall mean empty, clean, dry glass containers. No ceramics, stemware, Pyrex, window glass or light bulbs shall be accepted. All tops must be removed.

8.7 Magazines

This shall include all magazines.

8.8 Other

Additional recyclable items may be accepted at the Recycling building as new markets are found.

Additional items accepted at the discretion of the attendant include:

- (a) Office and computer paper
- (b) Styrofoam packing material (peanuts only)
- (c) Useable and reusable items
- (d) Textiles- including clean clothing

Section 9. Solid Waste Advisory Committee

A five member Solid Waste Advisory Committee, appointed by the Board of Selectmen, shall advise and make recommendations to the Selectmen periodically on the ongoing operations at the solid waste facilities.

The committee shall have the following additional responsibilities:

9.1 Recycling Volunteers

The Committee shall recruit and coordinate the activities of volunteers who will separate materials at the recycling facility.

9.2 Solid Waste Plan

The Committee will update the New Hampton Solid Waste Plan periodically. This plan will conform to State of New Hampshire requirements.

9.3 Ordinances

The Committee shall make recommendations to the Board of Selectmen regarding solid waste ordinances and rules and changes to those ordinances and rules.

9.4 Solid Waste/Recycling Markets

The Committee shall research and recommend contract arrangements for hauling and disposal of solid wastes and the marketing of recyclables.

9.5 Operations

The Committee shall make recommendations regarding the efficient operation and closure of any solid waste facilities owned or operated by the Town of New Hampton.

9.6 Solid Waste Reporting

The Committee shall be responsible for the annual report of facility use required by the State of New Hampshire and any other reports, which may be periodically requested by the Board of Selectmen.

Section 10. Compliance

10.1 Authority of Operator

The Facility Operator shall have the authority to refuse the use of the facility to any person who is misusing the facility, violating this ordinance or who does not have the proper permit. The operator is empowered to reject any solid waste or recyclable material brought into the facility. The operator is also authorized to assess and accept fees as outlined in Appendix A.

10.2 Revocation of Permit

Failure to comply with the provisions of this ordinance may result in immediate permit revocation for a period of up to one (1) year.

10.3 Fines

Failure to comply with this ordinance or the lawful directions of the attendant on duty may result in the assessment of fines.

Solid waste operator, attendants, town officers or officials may file a complaint in the District Court for failure to comply with the provisions of this ordinance. A person found guilty of such a violation shall be subject to a fine of up to three thousand dollars (\$3,000.00) pursuant to NH RSA 149:M: 17-II (b).

Section 11. Amendment

This ordinance may be amended or rescinded by a majority vote of the Board of Selectmen following a public hearing, notice of which shall be posted in two public places and published in one newspaper of general circulation.

Section 12. Separability

If any article, provision, portion, clause or phrase of this ordinance shall be held to be invalid or unconstitutional by any court or competent authority, such holding shall not affect, impair or invalidate any other section, provision, portion, clause or phrase of this ordinance.

Section 13. Effective Date

This ordinance will become effective immediately upon its passage by the voters of New Hampton.

Original effective date of ordinance: April 1, 1993

Revision date: July 1, 1993

Revision date: July 9, 1994

Revision date: July 15, 2000

Revision date: October 11, 2001 (Appendix A fees)

Revision date: March 31, 2006 (Appendix A fees and Hours of Operation)

Revision date: May 24, 2007 (Appendix A fees on disposal of Shingles, Limit to amount of shingles disposed per day and Hours of Operation)

APPENDIX A

Construction Debris per Vehicle:

Small trucks, Rangers, S-10's etc..., Full-size truck w/short bed, ½ ton short body pickup, utility trailer, & Sports Utility Vehicle(SUV).

Full load \$20.00 Half \$10.00 Min. \$5.00

Full-size trucks, ½ tons, ¾ ton, w/long bed (8'), 1 ton Pickup.

Full load \$30.00 Half \$15.00 Min. \$5.00

Stake or Rack or Dump Body

Full load \$60.00 Half \$30.00 Min. \$5.00

Others proportional as determined by operator.

Appliances: Refrigerator, Freezer or Air Conditioner \$15.00

Appliances: Others \$ 5.00

Mattresses & Box Springs: (Crib - \$0) \$15.00

Furniture(overstuffed) \$15.00 (sofa) \$ 10.00 (chair)

Rugs & Flooring covering materials: \$10 to \$30.00

Bathroom fixtures including sinks, toilets, etc. \$ 5.00 to \$10.00

Tires:

Bicycle(off rims) N/C

Motorcycles(off rims) \$5.00

Under 20" tires \$5.00

20" up to 25" \$10.00

Anything over 25" will not be accepted.

Shingles: \$10.00 for a 30 gallon trash bag or barrel.

A Minimum Charge for C&D shall be \$5.00.

Fees updated on November 1, 2001 and most recent on March 30, 2006.