

TOWN OF MOUNT VERNON SOLID WASTE AND TRANSFER STATION ORDINANCE

ARTICLE I

A. AUTHORITY AND PURPOSE

Authority for this Ordinance is Maine Revised Statutes Annotated Title 38, § 1304-B.

The purpose of this Ordinance is to regulate disposition of solid waste and use of the transfer station to ensure that its operation is efficient and economical and protects the health and safety of the town's residents and the environment of the community. The Board of Selectmen may regulate the dates and hours of operation, the manner in which solid waste and recyclables are deposited at the facility, and may establish and regulate fees.

This ordinance also requires separating certain recyclable commodities to conserve materials that can be re-used. In doing so, the Town of Mount Vernon will reduce the amount of material to be transferred and reduce the cost of disposal of solid waste generated within the Town.

B. DEFINITIONS

The definitions set forth in Title 38 M.R.S. § 1303-C apply to this Ordinance and they are incorporated herein by reference. Any word or term not otherwise defined shall have its ordinary meaning.

ARTICLE II

A. DISPOSITION OF SOLID WASTE

No person shall place any solid waste, including litter, in or upon any street, park or other public place or into any pond, stream or other body water within the Town; except in public receptacles, authorized private receptacles for collection, or at the Facility when it is open for disposition of solid waste.

No person shall place any solid waste, including litter, on any occupied, open or vacant private property, whether owned by such person or not, except that the owner or person in control of the private property may maintain private receptacles, design of which shall completely contain the waste, for collection and storage or solid waste.

B. USE OF FACILITY

The Mount Vernon Transfer Station is operated solely for the benefit of Mount Vernon residents, seasonal residents and commercial entities for waste generated in Mount Vernon. Admission to the facility will be by permit only. In order to obtain

the permit, persons must show that they pay property taxes or are a renter of property within Mount Vernon. The Town may grant temporary permits to seasonal residents or short-term renters. Residents will be issued permits without charge upon application to the Municipal Office. Residents must display a permit on their vehicle to gain access to the facility.

C. ACCEPTABLE WASTE

The Board of Selectmen shall have the authority to regulate the dates and hours of operation, the manner in which solid waste is deposited at the facility, which solid waste is accepted, and may establish and regulate fees. The Board may establish, after a duly noticed public hearing, a schedule of which items will be accepted at the facility and the fee, if any, which is applicable to each item, which amends the list in this paragraph and paragraph D of Article II of this Ordinance.

In accordance with the current agreement with Solid Waste Collection and Disposal Agreement with Waste Management. The following items are currently accepted at the facility: fees may apply to some items in accordance with the schedule established by the Board of Selectmen.

- Recyclable commodities
- Household trash
- Compostable material
- Bulky waste
- Construction and demo debris
- Metal
- Tires
- Brush
- Universal waste –

Fees: CRTs(computer monitor), fluorescent lamps & bulbs and mercury containing devices (mercury lamps, HID lights, thermostats, mercury switches, thermometers),

No fee: All rechargeable batteries such as NiCd, NiMH, Lithium Ion and Lead Acid.

D. UNACCEPTABLE WASTE

In accordance with the current agreement with Solid Waste Collection and Disposal Agreement with Waste Management

The following items cannot be accepted at the facility:

- Motor Oil
- Hazardous materials – those which are caustic, ignitable, reactive or toxic as defined by Title 38 M.R.S.A. § 1319-O
- Special waste as defined in Chapter 400 of the Maine Solid Waste Management Regulations

Any wastes which are “hot” or on fire.
Free flowing liquid wastes, including any type of sludge
Contaminated soil
Auto body parts (at the discretion of attendant)
Dead animals, including parts of livestock, wildlife etc.
Large tree parts and stumps
Manufacturing waste and scrap
Any appliance containing Freon, any appliance which contained Freon must have a sticker applied by a certified technician indicating that it was removed properly

E. DISPOSAL OF WASTE

Waste materials shall be deposited in the containers and locations designated by signs at the facility or at the direction of the Attendant who shall have complete control of the facility.

ARTICLE III

A. RECYCLING COMMODITIES

Users of the transfer station are required to recycle the following commodities:

Corrugated cardboard, including brown paper bags
Newspapers
Plastic containers: #1 PET, #2 natural and colored HDPE, #4 LDPE, #5 PP, and #7 other; (NO Styrofoam)
Mixed paper – no tissue paper
Glass bottles and jars
Steel (also called tin) cans
Aluminum cans and foil
Drink boxes & aseptic containers
Mixed electronics – printers, microwaves.

Recycling commodities shall be empty, clean of contaminants and dry. These items shall be deposited in the single stream compactor. Crush or break down all containers to facilitate transportation.

B. MANDATORY RECYCLING

To improve the efficiency of the facility, promote cost-effective solid waste management and help the town meet the 50% recycling goal, all the items listed in A. above shall be recycled by all facility users.

C. REUSE ITEMS/SWAP SHOP

Users of the facility are encouraged to place items which are still of a quality that might be of use to other town residents in the swap shop. This reduces the amount

of material needing disposal and reduces the cost of solid waste disposal to the town. Anyone intending to leave a large item at the Swap Shop shall obtain verbal approval of the Attendant. Any fee required by the fee schedule shall be paid whether the item is left in the Swap Shop or the appropriate disposal container.

ARTICLE IV

A. IMPLEMENTATION OF ORDINANCE

The Selectmen shall adopt rules and regulations for the operation of the Transfer Station, consistent with this Ordinance. These rules may include establishment of fees for bulky wastes, construction and demolition debris, tires and universal wastes, dates and hours of operation

- B. The Selectmen shall appoint an Attendant to oversee facility operations and will provide training for the Attendant. The use of the facility by any user shall be at the strict direction of the Attendant. The Attendant shall have the authority to refuse access to the facility to anyone who refuses to obey his/her direction, pay any required fees established by the Board or who violates this Ordinance in any other way. The Attendant shall also be authorized to implement any other penalties established by the rules and regulations developed under this Article.

ARTICLE V

A. COMMERCIAL HAULERS

1. Any person who collects solid waste from 6 or more households in Mount Vernon and transports that waste to the Facility shall obtain a commercial hauler's license from the Board of Selectmen.

2. No commercial hauler as defined above may deposit solid waste at the Facility unless that hauler has obtained a commercial hauler's license from the Board of Selectmen.

3. The Board shall develop an application form for commercial haulers and establish an annual fee that applicants must submit before receiving a license. The application shall require: 1) the name and business address of the hauler; 2) the registration number of each vehicle to be used; and 3) they types and estimated quantities of solid waste to be deposited at the Facility on a weekly or monthly basis.

4. The license issued shall contain the name and business address of the hauler and the registration numbers of the vehicles to be used. All commercial trash hauler licenses shall also include any reasonable conditions the Selectmen may see fit to impose to ensure proper waste management practices, including, but not limited to, conditions that the commercial waste hauler: 1) agree to comply with all provisions of this Ordinance; 2) agree to provide recycling education materials to all

Mount Vernon clients, and 3) keep recyclables separate while hauling and deposit said materials in the single sort compactor.

5. A commercial hauler found to be depositing waste originating outside the Town or violating any other provision of this Ordinance shall have his or her license suspended or revoked by the Board for up to one year after being notified of the charge and given the opportunity of a hearing.

ARTICLE VI

A. PENALTIES

The provisions of this Ordinance shall be enforced by the Board, the Facility Attendant or the Code Enforcement Officer at the direction of the Board.

Any violation of this Ordinance shall be punishable by loss of use of the transfer station, of the cost of cleaning up all solid waste illegally deposited and any legal costs incurred by the Town that were reasonably necessary to secure a judgment against a person found to be in violation. In addition, a violation of this Ordinance (or rules adopted pursuant hereto) may be enforced in accordance with 30-A M.R.S. § 4452. The penalties set forth in 30-A M.R.S. § 4452 shall apply to violations of this Ordinance. Any fine assessed for a violation of this Ordinance shall accrue to the Town of Mount Vernon.

ARTICLE VII

A. SEVERABILITY

The invalidation of any section or part of this ordinance shall not invalidate any other section or part of this ordinance.

B. EFFECTIVE DATE

This ordinance shall take effect July 1 following adoption by the town at a regular or special town meeting.

Date Adopted: _____

Attest: _____