

Solid Waste Collection, Recycling and Disposal Ordinance



Town of York, Maine

Most Recently Amended: May 11, 2015

Prior Dates of Amendment: November 14, 1995

March 22, 1994

Date of Original Enactment: April 22, 1991

ENACTMENT BY THE BOARD OF SELECTMEN

Date of the vote to enact/amend this Ordinance:

May 11, 2015

Certified by the Town Clerk:

Mary Anne [Signature]
(signature)

on

June 19, 2015
(date)

**COLLECTION, TRANSPORTATION AND DISPOSAL
OF REFUSE FROM RESIDENCES
RULES AND REGULATIONS
(Solid Waste Collection, Recycling and Disposal Ordinance)**

SECTION 1.0 IMPLEMENTATION OF REFUSE COLLECTION PROGRAM.

The Board of Selectmen shall contract with a Town hauler to provide for the regular collection of refuse from residences as stipulated by the Solid Waste Collection, Recycling and Disposal Ordinance and shall ensure that a disposal facility is provided for the Town hauler to dispose of the refuse.

SECTION 2.0 ACCEPTABLE MATERIALS FOR RESIDENTIAL TRASH AND REFUSE AND BULKY WASTE COLLECTION

The Town hauler shall collect the following materials from residences through the Town provided residential curbside collection refuse service.

- 2.1 The portion of domestic solid waste that is generated by residences on a day-to-day basis and which is not subject to Town mandatory recycling program requirements including, but not limited to: garbage, magazines, cartons, cardboard, cloth, ceramics, dishes, cups, ovenware, light bulbs, window panes, foils, pans, plastic items (not PET #1 or HDPE #2), and other similar materials.
- 2.2 Household furniture, such as couches, chairs, tables, bureaus, bed frames, fans, television and radios.
- 2.3 Discarded rugs, only if they are rolled and tied.
- 2.4 Shrubbery, brush, or tree limbs, if they are tied or containerized in bundles not more than (4) feet in length and sixty (60) pounds in weight and are able to be handled by one person. These materials shall not include leaves or grass clippings.
- 2.5 Brick, mortar, plaster, cement and wooden boards from small home repairs, construction, demolition or remodeling if it is placed in a suitable container or tied together in lengths and weights that will fit into a packer-type vehicle and can be handled by one person.

- 2.6 Mattresses, which must be rolled and tied. Box springs, provided wooden box springs are broken down into suitable lengths and these materials either bundled or tied into no greater than four foot lengths.
- 2.7 Small appliances, such as toasters and vacuum cleaners.
- 2.8 Lumber, which must be cut and tied into bundles which are no greater than 4 feet in length, 2 feet in width, and 50 pounds in weight.
- 2.9 Household doors and windows, except picture windows. Glass must be taped for safety.

SECTION 3.0 UNACCEPTABLE MATERIALS FOR RESIDENTIAL REFUSE COLLECTION.

It shall be unlawful for residences to place the following materials at curbside for the purpose of residential refuse collection.

- 3.1 Leaves and grass clippings.
- 3.2 Glass, including clear, brown and green, that is subject to mandatory curbside collection recycling program requirements for residences.
- 3.3. Aluminum, including aluminum cans and other all-aluminum products, that is subject to mandatory curbside collection recycling program requirements for residences.
- 3.4 Steel cans, including all cans containing ferrous metals and the tops of these cans, that are subject to mandatory curbside collection recycling program requirements for residences.
- 3.5 Newspaper, **mixed paper, magazines, boxboard and corrugated cardboard** that is subject to mandatory curbside collection recycling program requirements for residences.
- 3.6 Plastic, including #1 PET and #2 HDPE plastic containers, that are subject to mandatory curbside collection recycling program requirements for residences.
- 3.7 Hazardous Waste, as defined by the Solid Waste Collection, Recycling and Disposal Ordinance. This ordinance language reads: "Waste with inherent properties which make such waste dangerous to manage by ordinary means, including, but not limited to, chemicals explosives,

pathological wastes, radioactive waste, toxic wastes and other wastes defined as hazardous at any time by the State of Maine or the Resource Conservation and Recovery Act of 1976, as amended, or other Federal, State or local laws, regulations, orders, or other actions promulgated or taken with respect thereto."

- 3.8 Liquid Waste, as defined by the Solid Waste Collection, Recycling and Disposal Ordinance. This ordinance language reads: "All unwanted or discarded material with sufficient liquid content to be free flowing, including by way of example and not by limitation, waste motor oil, antifreeze, paints, motor fuels, solvents, rinse water and septic tank sludge".
- 3.9 White Goods and Scrap Metal as defined by the Solid Waste Collection, Recycling and Disposal Ordinance. This ordinance language reads: "All large appliances, including by example and not by limitation, stoves, refrigerators, freezers, washing machines, clothes dryers, dishwashers and air conditioners, and all scrap metal, including by example and not by limitation, wire, metal fencing, sheet metals, clean metal barrels and bar stock".
- 3.10 Wet Wastes, as defined by the Solid Waste Collection, Recycling and Disposal Ordinance. This ordinance language reads: "Wastes that represent either: a) water that has percolated through and/or mixed with trash causing the water to become a waste leachate; or b) trash which, because of high moisture content, is unacceptable due to an insufficient BTU content per pound".
- 3.11 Large diameter tree limbs and any size tree truck or stump.
- 3.12 Unacceptable Waste, as defined by the Solid Waste Collection, Recycling and Disposal Ordinance. This ordinance language reads: "Unacceptable waste includes the following materials: a) hazardous waste; b) bulk demolition or construction debris from building and roadway projects or locations; c) liquid wastes; d) abandoned or junk vehicles; e) dead animals or portions thereof or other pathological wastes; f) water treatment residues; g) tree stumps; h) tannery sludge; i) waste oil; and j) discarded "white goods" such as freezers, refrigerators, washing machines, etc.".

SECTION 4.0 METHOD OF COLLECTION

The collection of refuse from residences shall be subject to the following requirements.

- 4.1 **COLLECTION SCHEDULE.** The Town shall contract with a Town hauler to provide curbside collection of refuse from residences once every week. Collection is subject to the limitations described in Section 2.2.3 of the "Solid Waste Collection, Recycling and Disposal Ordinance".
- 4.2 **PLACEMENT FOR COLLECTION OF REFUSE CONTAINERS:** Each residence shall place all refuse in a Town approved container. The container(s) shall be placed at the back edge of the property side of the sidewalk (blocking of a sidewalk is prohibited), or where there is no sidewalk, three (3) to ten (10) feet from the edge of pavements or unpaved road, before 7:00 A.M. on the day of collection, but not before 4:00 A.M. of the scheduled day of pick-up service.
- 4.3 **PLACEMENT FOR COLLECTION OF OTHER MATERIALS.** Materials other than refuse which are subject to the Town curbside collection service shall be placed at the back edge of the property side of the sidewalk (blocking of sidewalk is prohibited), or where there is no sidewalk, three (3) to ten (10) feet from the edge of the pavement or unpaved road. Materials shall be placed at curbside before 7:00 A.M. on the day of collection, and shall not be placed at curbside before dusk of the day before scheduled pick-up service.

SECTION 5.0 REFUSE COLLECTION CONTAINER

All refuse shall be placed in a tied plastic bag which may be placed in a covered metal or plastic can manufactured for the purpose of storing Refuse. Containers shall not have a capacity greater than thirty (30) gallons nor weigh, when filled, more than sixty (60) pounds. The only exceptions to this requirement are identified in Section 2.0, Subsections 2.2, 2.3, 2.4, 2.5, 2.6, 2.7, 2.8, and 2.9 of these Rules and Regulations. The preparation of the materials identified in Subsections 2.2 through 2.9 for Refuse collection must comply with the requirements identified in these respective subsections.

SECTION 6.0 FEE FOR COLLECTION SERVICE

The Town shall pay all costs incurred by the Town hauler to collect, transport and dispose of refuse collected from residences.

SECTION 7.0 DESIGNATED TOWN OFFICIAL

The Town Public Works Director is the Town designated official for management of the Town service to collect, transport and dispose of refuse from residences.

SECTION 8.0 DISTURBANCE OF REFUSE CONTAINERS AND REFUSE.

No person shall disturb a refuse container or the refuse contained within that has been placed at curbside for collection. This prohibition shall not apply to materials identified in Sections 2.2, 2.3, 2.7 and 2.9 of these Rules and Regulations.

SECTION 9.0 PENALTIES

The Town hauler, members of the York Recycling Committee and the designated Town solid waste official(s) may examine any refuse materials or containers that are placed at curbside for collection to ensure compliance with the Town "Solid Waste Collection, Recycling and Disposal Ordinance" and applicable Rules and Regulations. The designated Town solid waste official(s) shall institute action for violations.

Any person, firm or corporation who violate any provision of the Ordinance shall be subject to a fine of \$100.00 for each violation. Each day such a violation is continued is a separate offense.

SECTION 10 – WAIVER/PAYMENT OF FINES

Any person charged with a violation of this section, shall be allowed to waive such violation and tender to the Town of York the fine amount if paid within 20 days of issuance of the summons. If the waiver fine is paid, no appearance before a District Court Judge or other judicial officer shall be required. If the offender pays the waiver fine, the matter will be closed in the York Police Records system and listed as a subsequent offense for future violations.

If the offender chooses not to pay the waiver fine, he/she shall appear in court on the specified date to answer for the ordinance violation. If the offender is found to have committed the offense in court, fines, applicable court fees, attorney's fees, and prosecution costs may apply.

- >Regulations adopted by Selectmen 4/22/91
- >Amendments to Regulations adopted by Selectmen, 3/22/94.
Amendments address implementing bulky waste curbside pick-up)
- >Amendments to Regulations adopted by Selectmen, 11/14/95
Amendments addressing mixed paper, magazines, boxboard & corrugated cardboard)
- >Amendments to Regulations adopted by Selectmen, 5/11/2015
(Amendments addressing penalties and waiver/payment of fines)

RECY1.DOC (ORDINANCES - W) 11/17/95 djb