

**Mandatory Recycling for Residences & Special
Residences
Rules and Regulations**



Town of York, Maine

Most Recently Amended: May 11, 2015

Prior Dates of Amendment: November 14, 1995
May 26, 1992

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: May Anne [Signature] on June 19, 2015
(signature) (date)

Mandatory Recycling For Residences & Special Residences
Rules And Regulations

(SOLID WASTE COLLECTION, RECYCLING AND DISPOSAL ORDINANCE)

In accordance with Section 5.1 of the Solid Waste Collection, Recycling and Disposal Ordinance, the Town of York, Board of Selectmen, hereby resolve to initiate a mandatory residential recycling program and to adopt the following rules and regulations to govern mandatory recycling for residences and special residences. These rules and regulations shall be entitled: "Rules and Regulations to Govern the Mandatory Curbside Collection Recycling Program for Residences and Special Residences".

Adopted 4/22/91
Amended 5/26/92
Amended 11/14/95
Amended 05/11/2015

**YORK SOLID WASTE COLLECTION, RECYCLING AND DISPOSAL
ORDINANCE**

**RULES AND REGULATIONS TO GOVERN MANDATORY CURBSIDE
COLLECTION RECYCLING PROGRAM FOR THE RESIDENCES AND
SPECIAL RESIDENCES**

SECTION 1. INTERACTION WITH RECYCLING COMMITTEE. The Board of Selectmen shall consult with and request recommendations from the York Recycling Committee to establish initial or amended rules and regulations to implement Mandatory Recycling for Residences and Special Residences. The Committee shall provide recommendations regarding program operations, including by example and not by limitation: materials subject to Mandatory Recycling; frequency of collection of Mandatory Recyclables; selection of a Town Hauler to collect and market Mandatory Recyclables; establishments subject to these rules and regulations; and fees for services provided.

SECTION 2. MANDATORY SEPARATION: Each Residence and Special Residence is required to separate specific materials from the solid waste stream for recycling purposes.

2.1 MATERIALS TO SEPARATE: The following materials are subject to Mandatory Recycling requirements.

2.1.1 GLASS, including clear, brown, and green bottles and jars. All caps B and metal parts shall be removed and containers shall be cleaned. Glass shall not be broken.

2.1.2 ALUMINUM, including cleaned aluminum cans and other all-aluminum materials. Aluminum foil shall not be collected for recycling purposes. Cans shall be cleaned.

2.1.3 STEEL CANS, including all cans containing ferrous metals and the tops of these cans. All cans shall be cleaned.

2.1.4 NEWSPAPERS, including color printed and black and white newsprint. It is unnecessary to remove slick inserts. Newspapers shall be securely bundled or placed in paper bags for easy handling. No bundle shall exceed 40 pounds in weight.

2.1.5 PLASTICS, including #1 PET and #2 HDPE plastic containers. All materials must be cleaned and the tops removed. Containers should be crushed to decrease the volume of the containers in the collection container.

2.1.6 MAGAZINES, CATALOGS, PHONE BOOKS and MIXED PAPER including "junk mail" shall be recycled. This material must be bundled or placed in paper bags and may be co-mingled with newspaper. No bundle shall exceed 40 pounds.

2.1.7 CARDBOARD, MILK CARTONS and ASEPTIC CONTAINERS (juice boxes) shall be recycled. All containers must be clean with straws removed.

2.1.8 CORRUGATED CARDBOARD shall be recycled. All boxes must be broken down flat and bundled. Bundles may not exceed 40 pounds in weight or be larger than 2' x 2'.

Section 3.0 RECYCLING CONTAINER REQUIREMENTS: Each Residence and Special Residence is required to prepare the recycling materials as stipulated in Section 2, above, and to place all Mandatory Recyclable materials in a recycling container approved by the Town.

3.1 RESIDENCE: Each Residence shall purchase a Town approved recycling container, a blue bin, from the Town at a cost established by the Selectmen. A replacement bin(s) may be purchased for a fee established by the Selectmen.

3.2 SPECIAL RESIDENCES: The Town Hauler who collects recyclable materials shall stipulate the type of container which each Special Residence shall use. The Special Residences which are required to use a Town approved recycling container, a blue bin, shall purchase such recycling containers from the Town at a cost established by the Selectmen. A replacement bin(s) may be purchased for a fee established by the Selectmen.

The Special Residences which are required to use taters shall be provided an appropriate number of taters by the Town recycling program Town Hauler. Separate taters shall be used to collect newspapers and to collect co-mingled recyclable materials; glass, aluminum cans, steel/tin cans and plastics.

SECTION 4.0 METHOD OF COLLECTION: The collection of Mandatory Recyclables from Residences and Special Residences shall be subject to the following requirements.

4.1 The Town shall contract with a Town Hauler to provide curbside collection of Mandatory Recyclables from Residences once every other week, 26 times per year. This collection service shall occur on the same day as the services provided by the Town Hauler that collects Refuse from

Residences. Collection from Residences is subject to the limitations described in Section 5.2.3 of the "Solid Waste Collection, Recycling and Disposal Ordinance". The Town shall provide Residences notice of the collection schedule.

- 4.2 PLACEMENT FOR COLLECTION FOR RESIDENCES:** Each Residence shall place all Mandatory Recyclable materials in a Town Approved Container, a blue bin. 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 pavement or unpaved road, before 7:00 A.M. on the day of collection. Each Residence shall ensure that the recyclable materials and refuse which are both placed at curbside for collection are physically separated by about three feet.
- 4.3 COLLECTION SCHEDULE FOR SPECIAL RESIDENCES:** The Town shall contract with a Town Hauler to provide curbside collection of Mandatory Recyclables from Special Residences. The Town and the Town Hauler shall determine the frequency of collection for each Special Residence, and shall provide each Special Residence a collection schedule. Most Special Residences will receive recycling collection services once every two weeks, however, some Special Residences, particularly seasonal establishments, may receive more frequent pick-up services during their months of operation.
- 4.4 PLACEMENT FOR COLLECTION FOR SPECIAL RESIDENCES:** Each Special Residence shall place all Mandatory Recyclable materials in the appropriate recycling container specified by the Town and Town Hauler. All Special Residences which are required to use the Town approved recycling container, a blue bin, shall place the container bin 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, before 7:00 A.M. on the day of collection.

All Special Residences which are required to use toters, shall regularly place the toters in a location which is both accessible to the Town Hauler's collection vehicle and made known to the Town Hauler. These Special Residences shall be required to enter a Hold Harmless Agreement with the Town Hauler which permits the Town Hauler collection vehicle to access the premises of the Special Residence. The Special Residence shall take appropriate measures to lessen the likelihood that the toters for recyclable materials are not contaminated with non-recyclable materials.

SECTION 5.0 FEE FOR COLLECTION SERVICE: The Town shall pay all costs incurred by the Town Hauler to collect, transport and market Mandatory Recyclable materials. The only fee the Residence, or the Special Residences which must use recycling container bins, shall pay is the cost to purchase a Town approved recycling container.

SECTION 6.0 DESIGNATED TOWN OFFICIAL: The Town Public Works Director is the Town designated official for the management of the Town Mandatory Residential Curbside Collection Recycling Program for Residences and Special Residences. The Public Works Director may delegate responsibilities involved with the operation and management of this program.

SECTION 7.0 DISTURBANCE OF RECYCLABLE CONTAINERS AND MATERIALS. No person shall disturb Recyclable materials that have been placed at curbside in a recycling container or toter for collection by a Residence or Special Residence.

SECTION 8.0 PENALTIES: The Town Hauler, members of the York Recycling Committee and the designated Town solid waste official(s) may examine any Mandatory Recyclable materials to ensure that the separation and collection of these materials complies with the "Solid Waste Collection, Recycling and Disposal Ordinance" and these 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 9.0 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.

SECTION 10.0 DEFINITIONS: The following definitions apply for the purpose of distinguishing a Residence from a Special Residence and to identify all establishments included in the above terms which are subject to the requirements of these rules and regulations.

10.1 RESIDENCE: Any home, apartment or condominium complex with no more than four dwelling units.

10.2 SPECIAL RESIDENCE: Any apartment, condominium complex, cottage colony, trailer park or campground with five or more dwelling units or spaces; including spaces which are rented for short-term occupancy. Special Residences shall not include motels or hotels, nor shall it include solid waste accounts other than those identified above which are presently considered commercial establishments by Town solid waste regulations.

SECTION 11.0 EFFECTIVE DATE:

11.1 The initial rules and regulations shall become effective as of 12:00 A.M., May 6, 1991.

11.2 The amended rules and regulations which incorporate provisions to stipulate recycling requirements for Special Residences, shall become effective as of 12:00 A.M., on June 1, 1992.

