

TOWN OF WILTON

SOLID WASTE MANAGEMENT/RECYCLING ORDINANCE

Section I. Authority.

1. This ordinance is adopted pursuant to Home Rule powers as granted in Article VII-A of Maine Constitution and Title 30-A, M.R.S.A. Section 3001

2. This ordinance shall be known as the Town of Wilton, Maine, Solid Waste Management/ Recycling Ordinance adopted and effective by vote of the Town Meeting on June 10, 2013. It shall replace the Landfill Recycling Ordinance which was originally adopted on March 7, 1983, and June 22, 1998, and subsequently amended.

Section II. Purpose.

The purposes of this ordinance are to: 1) continue the Solid Waste and Recycling Advisory Committee to aid the Selectmen on the matters pertaining to solid waste management; 2) encourage the recycling of solid wastes to the maximum extent practicable; and 3) establish user fees for wastes which are difficult and/or costly to dispose of or recycle.

Section III. Administration.

The Selectmen of the Town of Wilton will administer and enforce the provisions of this ordinance.

Section IV. Applicability.

This ordinance shall apply to all users of the Wilton Transfer Station/Recycling Facility including residents, property owners, commercial/industrial establishments, and commercial haulers.

Section V. Solid Waste and Recycling Advisory Committee.

1. Purpose: The purpose of the Advisory Committee will be to encourage recycling, educate the public and students, and aid the selectmen in matters relating to solid waste management and recycling. The Committee shall provide a report on the past year's activities to the Selectmen annually, at least 60 days prior to Town Meeting.

2. Appointment: The Selectmen shall appoint at least seven (7) citizens from the Town of Wilton to the Advisory Committee to serve at the will of the Selectmen. The Selectmen shall fill any vacancy that may occur, as necessary to maintain a minimum of seven (7) members.

Section VI. Permits.

All residents, property owners, and businesses must have a vehicle permit for each vehicle delivering all wastes, including recyclable materials, to the Wilton Transfer Station &

Recycling Center. Permits must be displayed as requested by the management at the Transfer Station. The Selectmen may determine, following a public hearing, whether there will be a charge for the permits. Permit holders may only dispose of wastes at the Transfer Station that are generated within the Town of Wilton.

Section VII. Separation.

A. The Selectmen may determine, based on recommendations of the Advisory Committee and town management, the wastes which will be recycled. Recyclable wastes may include newspapers, corrugated cardboard, plastics, tin, aluminum, clean mixed paper products, including white paper, colored paper, food packaging, etc., and glass bottles. In addition, various other items such as metals, white goods, shingles, wood wastes, and leaf and yard wastes may be included.

B. Wastes, including recyclable materials, shall be deposited in the appropriate location at the facility. The Selectmen, upon recommendation of the Advisory Committee and management, may also determine the manner in which wastes and recyclables shall be prepared for deposit at the facility.

Section VIII. Fees for Failure to Separate Materials:

Non-separation of recyclable materials from regular waste materials creates additional disposal costs. The Selectmen may set fees, following a public hearing, for the deposition of wastes which contain unseparated designated recyclables.

Section IX. User Fees.

The Selectmen may establish fees to be charged for the disposal of various items. The Selectmen shall hold a public hearing on the fees prior to implementation.

Section X. Collection of Fees.

1. The Attendant shall collect any and all fees for waste disposal or recycling established by the Selectmen pursuant to this Ordinance.
2. The Attendant shall report weekly the amount of fees collected and deposit such fees with the Town Manager.

Section XI. Wastes Prohibited.

No commercial hauler, resident, property owner, or non-resident shall dispose of any wastes at the Wilton Transfer Station that were collected outside of the town of Wilton.

Section XII. Enforcement.

The Attendant, Transfer Station Manager, Public Works Director or Town Manager shall have the authority to refuse the use of the facility to any person, corporation, or other user who does not conform to the provisions of this ordinance.

Section XIII. Penalties.

Any person or corporation convicted of violating any provision of this ordinance shall be punished by a fine not to exceed One Hundred Dollars (\$100.00) for each violation.

Section XIV. Variances and Waivers.

1. Where the Board of Selectmen finds that extraordinary and unnecessary hardship may result from the strict application of the provisions of this ordinance, it may waive such provisions so that substantial justice may be done and the public interest served.

2. In granting waivers, the Board of Selectmen shall require such conditions as will, in its judgement, substantially secure the objectives of this ordinance.

Section XV. Separability.

If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Section XVI. Appeals.

An appeal may be taken within 30 days from the Board of Selectmen's decision by any party to Superior Court in accordance with Rule 80B of the Maine Rules of Civil Procedure.

Section XVII. Amendments.

This ordinance may be amended by a majority vote of Town Meeting. Amendments may be initiated by a majority vote of the Board of Selectmen upon the recommendation of the Advisory Committee or on petition of 10% of the votes cast in the last gubernatorial election in the Town. The Board of Selectmen shall conduct a public hearing on any proposed amendment.

Section XVIII. Definitions.

In general, words and terms used in the Ordinance shall have their customary dictionary meaning. More specifically, certain words and terms used herein are defined as follows:

1. Commercial Hauler: Any user, either individual or company, which hauls materials to the landfill site for others for a fee.

2. Attendant and Transfer Station Manager: the Selectmen of the Town of Wilton, or the Town employees or agents authorized by said Selectmen, to act in their stead at the Transfer Station/Recycling Facility.

3. Newspaper: Clean dry newspaper.

4. Corrugated paper: Clean, dry, flattened corrugated cardboard boxes and brown paper bags.
5. Glass: Clean glass bottles, jars, jugs, etc. Glass, in this instance, does not include window glass, light bulbs, drinking glasses, porcelain items, mirrors, etc.
6. White Goods: Household appliances including, but not limited to, washing machines, clothes dryers, stoves, and refrigerators.
7. Plastics: Plastic containers which are further identified according to the industry standards.
8. Tin: Clean cans and other containers made of tin or steel.
9. Aluminum: Clean cans, pie plates, and other containers made of aluminum.
10. Paper products: clean mixed paper products, such as computer paper, stationery, copy paper, colored paper, food packaging, paper tubes, etc.

Effective on the date of adoption by the Town of Wilton

Enacted: June 10, 2013

Signed



Diane Dunham, Town Clerk