

### **Town of Sanbornton Solid Waste Ordinance**

Pursuant to the authority of RSA 31:39 and RSA 149-M, the Town of Sanbornton hereby adopts the following ordinance for the operation of its Transfer Station and Recycling Center (Facility) under permit number DES-PN-18-005.

#### **1. OPERATING PLAN**

The Transfer Station Manager shall maintain an up to date Operating Plan that reflects specific procedures and processes to be followed at the Transfer Station. Changes to the Operating Plan will be proposed by the Transfer Station Manager and approved by the Board of Selectmen. Examples of topics covered in the Operating Plan include (but are not limited to):

- Traffic flow/disposal process
- Recycling procedure and separation requirements
- Current disposal rates approved by the Board of Selectmen
- Process for issuing and use of permits for entry to the Facility

For the purposes of this ordinance, any of the items in the approved Operating Plan shall be enforced under the sections below. The Operating Plan shall be kept up to date and maintained on-site at the Facility, accessible to all operators and the public, and shall include a copy of the Facility's active permit. A copy of the most recent Operating Plan shall be kept at the Town Office and uploaded to the Town's website.

#### **2. ADMISSION**

The Facility will be open for use by Sanbornton residents and non-resident property owners. The use of issued resident identification permits will be outlined in the Operating Plan. Anyone entering the Facility for the purpose of disposing of trash, recycling material, or demolition material may be asked by a Facility operator to show proof of residency or property ownership. Individuals who are unable to show the required proof will not be allowed to dispose of their material and may be asked to leave the Facility.

#### **3. SEPARATION**

All waste brought to the Facility for disposal, recycling or reuse shall be collected, stored and transferred to market according to the Facility's Operating Plan that is adopted by the Board of Selectmen for the Town of Sanbornton, subject to periodic review. A fee schedule will be set by the Board of Selectmen for all materials disposed of at the facility and will be available as part of the Operating Plan.

Patrons of the Facility will follow the direction of the operators as to placement of material for disposal. Individuals who fail to adhere to the procedures will be guilty of a violation of the Ordinance and may be asked to leave the Facility.

#### **4. AUTHORIZED AND PROHIBITED MATERIALS**

Materials that are authorized and prohibited at the facility are listed in the active permit. Materials specifically prohibited regardless of whether the permit is modified are:

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- Any Stumps, trees and limbs greater than 4' in length and/or 4" in diameter.
- Sludge or Septic Waste
- Dead Animals
- End-of-Life Motor Vehicles and Travel Trailers or Utility Trailers.
- Any material which, in the opinion of the Transfer Station certified operator, constitutes a serious hazard to other users of the Facility, to the property of the Town, or to the operation of the Transfer Station.

### 5. AUTHORITY OF THE CERTIFIED OPERATORS

The Facility operators have the authority to direct patrons in the use of the Facility, in accordance with the approved Operating Plan. The Facility's principal operators shall have the right to refuse the use of the facility to any person, corporation, or other user who is misusing the facility, who fail to follow the directions of the Facility operators, or is in violation of any section of this Ordinance, or who does not have the proper permit. Any such party shall be guilty of a violation of this Ordinance.

### 6. BURNING

No burning shall be allowed at the Facility, except at the direction and supervision of the Facility principal operator(s).

### 7. FIREARMS

The discharge of firearms is prohibited at the Facility.

### 8. ORIGIN OF MATERIAL DISPOSED OF AT FACILITY

In line with the existing permit, only solid waste generated within the Town limits shall be disposed of at the Facility.

### 9. COMMERCIAL HAULERS

A commercial hauler shall mean anyone who hauls materials to the Facility for others for a fee. All persons or corporations engaged in the commercial hauling of rubbish, materials, etc., must first obtain a permit from the Board of Selectmen after payment of a permit fee. Permit applications shall be available at the Transfer Station or on the Town's website. Only material that is generated within the Town limits may be disposed of by a commercial hauler. Proof of the source of the material must be provided at the time the hauling permit application is made. Any commercial hauler found to be "dumping" material from other municipalities will have its permit canceled and may have future permits denied. Commercial haulers must still comply with any applicable charges such as bag fees or disposal costs for demolition material. In the case of Municipal Solid Waste, the resident or non-resident property owner who contracted with the commercial hauler may provide the bag or sticker to cover the disposal fee – but it shall be the responsibility of the commercial hauler to pay any fees for bags that do not have the proper stickers affixed to them when they arrive at the Facility.

The requirement for a permit and applicable disposal fee shall also apply to any contractor who is removing trash or debris as the result of work at a property within the Town limits. Residents who bring

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trash and debris generated by a contractor on their property may dispose of it without first obtaining a permit, but they are required to pay the applicable fees that apply based on the type of waste.

### 10. TRESPASS

The gate will be locked at all times when the Facility is not open to the public. Anyone entering the Facility when the gate is locked is guilty of trespass and shall be charged with violating the terms of this Ordinance.

### 11. PENALTY

Any person or corporation convicted of violating any provision of this Ordinance, or the directives of any certified operator, may be punished by a fine not to exceed One Hundred Dollars (\$100.00) for each violation.

### 12. SEPARABILITY

The invalidity of any provision of this Ordinance shall not affect the validity of any other provision, nor the validity of the Ordinance as a whole.

### 13. SUPERCEDE

This Ordinance shall automatically repeal any other Ordinance that is in conflict with this Ordinance.

### 14. EFFECTIVE DATE

This Ordinance shall take effect immediately upon approval by a majority of the voters at the Annual Town Meeting upon which ballot it shall appear.