

Town of Dover-Foxcroft

34 Main Street, East
Dover-Foxcroft, Maine 04426
(207) 564-3318

SOLID WASTE DISPOSAL ORDINANCE

Section I

Definitions: For the purpose of this ordinance, the following terms shall have the meaning ascribed to them in this section.

- 1) Administrator. Administrator is the municipal officer who has final responsibility for administration of the solid waste facility.
- 2) Ashes. Ashes shall mean residue of the combustion of solid fuels.
- 3) Contractor. Contractor shall mean individual, firm, corporation, partnership or other entity or their employees who have a current contract with the Town of Dover-Foxcroft to maintain and operate the Dover-Foxcroft Landfill and who are present at the landfill.
- 4) Department. The State Department of Environmental Protection.
- 5) Garbage. Garbage means all putrescible animal or vegetable wastes resulting from the handling, preparation, cooking and consumption of food in any private dwelling house, multiple dwelling, hotel, restaurant, building, or institution.
- 6) Hazardous Waste. Hazardous Waste means a substance designated as hazardous by the Department of Environmental Protection.
- 7) Hot Load. Any loads of solid waste that are on fire, smouldering or are potentially flammable by spontaneous combustion. Hot loads include wood stove ashes, cigarette tray residue, coal ash and clinkers, residue from a fire, etc.
- 8) Household Wastes. Household waste shall mean mixed refuse, ashes and bulk refuse originating in and around private dwellings, multiple dwellings, fraternity houses, living quarters or dining facilities located in schools, colleges or universities.
- 9) Inert Material. Inert material means solid waste that does not react with other substances under ordinary conditions, including but not limited to concrete, rocks, bricks, plaster, contaminated fill, building construction wastes, etc.

- 10) Junk. Junk means old, worn-out, or unserviceable plumbing or heating supplies, household appliances and furniture, scrap, scrap copper, brass, rope, rags, batteries, rubber debris, waste and all scrap iron, steel and other scrap ferrous or nonferrous material or parts thereof.
- 11) Landfill, Sanitary. Sanitary landfill means a disposal facility for solid waste on land designed to protect the environment.
- 12) Landscape Refuse. Landscape refuse means leaves, garden strubble, lawn rakings, weeds and other material that can be composted and reused as a soil conditioner.
- 13) Litter. Litter means any wastes as defined by the Maine State Litter Law that have collected or scattered in an unplanned manner in any location other than the area designated for appropriate handling. For this definition litter may include manure.
- 14) Operator. The Town employee at the Landfill in charge of its operation and maintenance.
- 15) Refuse. Refuse shall mean mixed garbage and rubbish placed and stored together in a standard refuse container.
- 16) Resource Recovery. Resource recovery means the recovery of materials or substances that still have useful physical or chemical properties after serving a specific purpose and can be reused or recycled for the same or other purposes.
- 17) Rubbish. Rubbish means all cardboard, plastic, metal, or glass food containers, waste paper, rags, sweepings, small pieces of wood, excelsior, rubber, leather, and similar waste materials that ordinarily accumulate around a home, business or industry. It shall not include garbage, ashes, bulk refuse, dead animals, hazardous waste, industrial waste, or building waste resulting from the operations of a contractor.
- 18) Salvaging. Salvaging is the controlled removal of reusable discarded solid waste.
- 19) Septage. Septage means waste, refuse effluent, sludge and any other materials from septic tanks, cesspools, or any other similar facility.
- 20) Solid Waste Facilities. Means all facilities owned by the Town used to collect, transport or dispose solid waste, to include the sanitary landfills, solid waste equipment, etc.

- 21) Solid Waste Management. Solid waste management means purposeful, systematic, and unified control of the collection, storage, transportation, processing, salvaging, and disposal of solid waste.
- 22) Solid Wastes. Solid waste means unwanted or discarded solid material with insufficient liquid content to be free flowing, including by way of example, and not by limitation, rubbish, garbage, junk, refuse, inert household wastes, material, landscape refuse, wood wastes, white goods, but shall not include sludge, septage, hazardous wastes, agricultural or industrial wood byproducts.
- 23) Special Wastes. Special wastes include that fraction of solid wastes and other wastes designated by the Administrator to be handled, stored or disposed separately. Special wastes include but are not limited to white goods, tires, inert material, hot loads, wood wastes, carrion, asbestos, oil, fuels, paints, ash recyclable materials, etc.
- 24) Storage. Storage means the containment of any waste that is not hazardous for a period of less than one year in such a manner as not to constitute disposal.
- 25) Sludges. Sludges means the concentration of solids resulting from the treatment of liquid wastes such as sewage, industrial wastes, commercial wastes, etc.
- 26) Tires. Tires shall include all tires, tubes, and rubber protective flaps. Tire rims are not included under this definition.
- 27) Transport. Transport means movement of solid waste from the point of generation to any intermediate points, and finally to the point of ultimate storage or disposal.
- 28) Vector. Vector means a carrier, usually an insect, bird, or rodent, that is capable of transmitting a pathogen from one organism to another or from one place to another.
- 29) White Goods. White goods means large appliances, including but not limited to stoves, refrigerators, freezers, washing machines, clothes dryers, dishwashers, and air conditioners.
- 30) Wood Wastes. Wood waste means dry waste made of wood to include trees, stumps, brush, slabs, edgings, and pallets.
- 31) Person. Person shall mean any individual, firm, corporation, partnership or association or other entity.

SECTION II

Responsibility

The Town of Dover-Foxcroft and its inhabitants assume overall responsibility for Town owned solid waste facilities and proper disposal of wastes accepted.

The administrator of this ordinance and overall supervisor of solid waste facilities is the Town Manager of the Town of Dover-Foxcroft.

The town is responsible for the day-to-day operation, and maintenance of solid waste facilities.

It shall be the duty of the Police Department and the operator to strictly enforce this ordinance, and to see that any and all violations are promptly abated and violators prosecuted, and it shall be the special duty of the Chief of Police and all policemen to promptly summons any violators of this ordinance.

Other responsibilities and duties shall be as outlined in Solid Waste Facility Operational and Maintenance Manual or as designated by the administrator.

Section III

Management.

Solid Waste Disposal

All solid waste must be disposed at the Town of Dover-Foxcroft's Solid Waste Facility unless a permit is obtained to do otherwise as discussed in Section VIII.

No person or persons shall at any time throw or deposit any solid waste or litter within the limits of any streets, highways, passageways, or over any bridge, or into the waters or onto the ice of any lake, pond, or river within the Town of Dover-Foxcroft.

Section IV

Solid Waste Transportation

All solid waste transportation within the Town of Dover-Foxcroft must be placed in covered containers securely fastened to the vehicle to prevent spillage and litter.

Waste deposited along the road to the landfill or at the landfill entrance gate is prohibited.

Section V

Usage of Solid Waste Facilities

Solid waste facilities owned, operated and maintained by the Town of Dover-Foxcroft shall be for the disposal of solid waste produced within the boundaries of the Town of Dover-Foxcroft.

No person shall be permitted to dispose of, at the Dover-Foxcroft Solid Waste Facility, any solid waste produced outside the Town of Dover-Foxcroft. unless such waste is transported from a town that holds a current contract to use the Town of Dover-Foxcroft's Landfill. In the event such solid waste may have been unloaded by such a person, such person shall be required to remove such solid waste immediately or be prepared to pay to the Town of Dover-Foxcroft \$100.00 minimum fine. ONLY USERS SHOWING A VALID PERMIT ISSUED BY THE TOWN CLERK'S OFFICE SHALL BE ALLOWED TO USE THE LANDFILL.

Section VI

Operation of Solid Waste Facilities

Solid waste shall be disposed at the solid waste facilities only during the times designated by the Dover-Foxcroft Board of Selectmen.

Solid waste facilities shall be operated in accordance with the Maine Department of Environmental Protection (DEP) regulations, the operation and maintenance manuals or as designated by both the administrator and the Department.

Discharging of firearms and burning of solid waste, except as allowed under DEP regulations, at the Town's solid waste facilities is strictly prohibited.

Section VII

Salvage

All solid waste delivered and deposited for disposal at the Town of Dover-Foxcroft solid waste disposal facilities shall become the property of the Town of Dover-Foxcroft. No person shall separate, collect, carry off or dispose of such materials unless authorized in writing by the administrator. The Dover-Foxcroft Board of Selectmen may contract to dispose of salvage from time to time.

Section VIII

Solid Waste Separation

The Town of Dover-Foxcroft's solid waste facilities will dispose of all solid waste and special wastes. Special wastes must be separated by the user and disposed in areas designated by the administrator. Solid waste shall be separated into normal household wastes, white goods, tires (without rims), wood wastes, inert material, hot loads, recycleable material and other wastes designated for separation by the administrator.

The operator is authorized to inspect all solid waste before it is disposed of to ensure proper separation. Users found depositing unseparated waste at the transfer facility shall be in violation of this ordinance. Users refusing to allow inspection of their solid waste shall be denied use of the solid waste facilities.

The following solid waste shall be considered unacceptable for disposal in the Town of Dover-Foxcroft's solid waste facilities.

1) All hazardous wastes and substances such as poisons, acids, caustics, infected materials, oil, explosives, flammable liquids, and wastes of unknown origins.

2) Unusual quantities of more than 6 cubic yards per week of material resulting from the construction or wrecking of buildings and structures or that may result from industrial or agricultural processes. Quantities in excess of 6 cubic yards per week shall be disposed of by any person by first obtaining a permit from the administrator.

3) Landscape refuse in addition to six cubic yards per week. Quantities in excess of 6 cubic yards per week shall be disposed of by any person by first obtaining a permit from the administrator.

Section IX

Private Disposal Sites

It shall be unlawful for any person, firm, or corporation to dispose of solid waste at any location within the Town of Dover-Foxcroft other than Town-owned solid waste facilities unless a permit is obtained from the Dover-Foxcroft Board of Selectmen.

Permits will only be issued to persons, firms, or corporations who have satisfactorily met all Federal, State and Local laws and regulations. Permits may be revoked by the Dover-Foxcroft Board of Selectmen when deemed necessary to ensure the general public health and welfare.

Section X

Penalty

Any person or persons, firm or corporation who violates any of the provisions of this ordinance shall upon conviction be fined not less than fifty dollars (\$50.00) nor more than five hundred dollars (\$500.00) for each offense and each day's continuance or failure to comply herewith shall constitute a separate and distinct offense for each of said days and shall be punishable as such.

Furthermore, any person who violates any provision of this ordinance may be evicted from the landfill site and future admittance until authorized by the administrator. Such individual may also be sued for trespass by the municipality.

Section XI

Severability

Should any section, paragraph, sentence, clause or phrase of this ordinance be declared unconstitutional or invalid for any reason, the remainder of said ordinance shall not be affected thereby.

Section XII

Effective Date, Repeal of Prior Ordinance

The effective date of this ordinance shall be the day following its adoption by affirmative vote of the voters of the Town of Dover-Foxcroft at a meeting duly called for that purpose, and the adoption of this Ordinance shall have the effect of repealing Sections 1 and 2 of Article II of the "Bylaws and Ordinances" of the Town of Dover-Foxcroft.

3/10/86

ORDINANCE AMENDING THE TOWN OF DOVER-FOXCROFT
SOLID WASTE DISPOSAL ORDINANCE
TO PROVIDE FOR MANDATORY RECYCLING

Section 1. Purpose:

A. It is hereby declared that recycling is a wise and prudent solid waste management technique that saves tipping fees, saves energy, reduces pollution and environmental degradation, keeps usable manufacturing material in the economy, and promotes a developing sense of waste awareness. It is therefore the policy of the Town of Dover-Foxcroft to encourage recycling to the maximum extent possible.

B. In the light of the foregoing policy, this amendment is hereby adopted to expand and clarify Section II, Responsibility; Section VIII, Solid Waste System; and Section X, Penalty of the Town of Dover-Foxcroft Solid Waste Disposal Ordinance, adopted March 10, 1986.

Section 2. Amendment of Section II:

Section II of the Town of Dover-Foxcroft Solid Waste Disposal Ordinance is hereby amended by adding a new paragraph at the end thereof, to read as follows:

The Board of Selectmen of the Town of Dover-Foxcroft may, after public hearing, adopt such other rules and regulations not inconsistent with the terms of this Ordinance to promote the general purposes of the Ordinance and any amendments thereto.

Section 3. Amendment of Section VIII:

Section VIII of the Town of Dover-Foxcroft Solid Waste Disposal Ordinance is hereby amended to read as follows:

- A. All solid waste shall have the following commodities separated out and in a readily handleable form, as may be required by the operator, when brought to the facility:
1. Glass. All glass, beverage glass, bottles, jars, or other forms shall be separated and delivered to the facility and shall be deposited into bins according to color - green, brown, and clear. All containers shall be rinsed clean and free of caps, covers, metal, or plastic.
 2. Aluminum Beverage Cans. All aluminum cans shall be separated and delivered to the facility in an easily handleable form. All cans shall be rinsed clean.
 3. Newspaper. Color printed will be separated from black and white and shall be securely bundled in bundles not to exceed 40 pounds in weight.
 4. Magazines. Not recycled at this time. To be placed in the transfer station.
 5. Computer paper shall be bundled separately the same as newspapers.

6. Corrugated Cardboard. All cardboard shall be delivered, boxes broken down flat and deposited in the designated area.
 7. Furniture. Shall be disassembled. All metal plates, arms, supports, levers, etc. shall be removed and wooden members will be placed with demolition lumber.
 8. Demolition lumber. Shall be cut into manageable lengths and placed in the designated area. Lumber shall be free of nails, metal, and shingles.
 9. Mattresses, bedsprings. Shall be disassembled and springs removed for separate placement in the White Goods area.
 10. Steel, aluminum, copper, brass. Items shall be separated by material type and placed in proper designated area.
 11. Tires. Shall be placed in the designated area. Rims shall be removed from all tires.
 12. Plastic containers, including, but not limited to, milk jugs, oil cans, detergent bottles, etc., shall be washed clean and deposited in the designated area at the Facility.
 13. Compost. All vegetable matter including lawn, leaf and garden waste, wet paper, pet litter, and all similar waste that will decompose to an organic/inorganic soil mixture shall be deposited in the designated area.
- B. Refrigerators, stoves, freezers, and other metal items shall be placed in the area designated for white goods.
- C. Large tree trunks and stumps shall be placed in the area so designated.
- D. Tree limbs, branches, brush, and clean wood shall be placed in the burn pile.
- E. Portable radios, televisions, and other electronic equipment shall be placed in the demolition area.
- F. The operator is authorized to inspect all solid waste before it is disposed of to ensure proper separation. Users found depositing unseparated waste at the transfer facility shall be in violation of this ordinance and shall be penalized or fined as provided in Section X hereof. Users refusing to allow inspection of their solid waste shall be denied use of the solid waste facilities.
- G. The following solid waste shall be considered unacceptable for disposal in the Town of Dover-Foxcroft's solid waste facilities.
1. All hazardous wastes and substances such as poisons, acids, caustics, infected materials, oil, explosives, flammable liquids, and wastes of unknown origins.

2. Unusual quantities of more than six cubic yards per week of material resulting from the construction or wrecking of buildings and structures or that may result from industrial or agricultural processes. Quantities in excess of six cubic yards per week shall be disposed of by any person after first obtaining a permit from the administrator.
3. Landscape refuse in addition to six cubic yards per week. Quantities in excess of six cubic yards per week shall be disposed of by any person after first obtaining a permit from the administrator.

Section 4. Amendment of Section X:

Section X of the Town of Dover-Foxcroft Solid Waste Disposal Ordinance is hereby amended to read as follows:

Section X. Penalties and Fines.

A. The following fees shall be assessed by and paid to the Operator for the benefit of the Town at the time of drop-off if the solid waste deposited by any person has not been properly separated according to the provisions of this Ordinance:

1. Passenger vehicle	\$ 5.00 per trip
2. 3/4 ton truck or less	20.00 per trip
3. More than 3/4 ton	30.00 per trip
4. Commercial hauler and private contractor	50.00 per trip

- B. Any person or persons, firm or corporation who violates any of the other provisions of this Ordinance shall upon conviction be fined not less than Fifty (\$50.00) Dollars, nor more than Five Hundred (\$500.00) Dollars for each offense, and each day's continuance or failure to comply herewith shall constitute a separate and distinct offense for each of said days and shall be punishable as such.
- C. In addition to the foregoing, any person who violates any provision of this ordinance may be evicted from the land-fill site and future admittance until authorized by the administrator. Such person may also be sued for trespass by the municipality.

Section 5. Effective Date.

The effective date of this Amendment shall be a date at least 60 days following the opening of the recycling center, pending which time recycling shall be voluntary. The Board of Selectmen shall determine the exact effective date consistent with the provisions of this Section.