

**MANURE CONTROL ORDINANCE
TOWN OF LIVERMORE FALLS**

(THIS ORDINANCE WAS REPEALED ON JUNE 9, 1999)

Purpose: The purpose of this ordinance is to promote the health, safety and public welfare of the residents of the Town of Livermore Falls and to protect the environment by ensuring adequate disposal/application of manure for use as fertilizer.

Authority

This ordinance is adopted pursuant to: Title 30 MRSA Section 1917

Administration

Section 1. The Board of Selectmen shall be responsible for the administration of this ordinance.

Section 2. The functions and powers of the Board of Selectmen shall include the following:

a. The Board of Selectmen may appoint an agent or agents to conduct all administrative functions relating to this ordinance on their behalf.

b. The Board of Selectmen shall be responsible for the enforcement of this ordinance.

Applicability

Section 1. This ordinance shall apply to the disposal of manure, and the stockpiling and spreading of manure within the Town of Livermore Falls for agricultural fertilization purposes, excepting that manure which is generated on the site where the disposal, stockpiling, and/or spreading is to take place.

Regulations

Section 1. Any person or persons, company or companies which dispose of manure within the Town of Livermore Falls or utilize manure as fertilizer

shall obtain a permit from the Town of Livermore Falls prior to any disposal, stockpiling or spreading of same.

Section 2. Permits shall be obtained from the Town Office and shall contain the following information:

- A. Applicant's name, address and phone number.
- B. Location of property to be fertilized.
- C. Owner of property to be fertilized.
- D. Manure to be obtained from: Name, Address, Type
- E. Date of delivery.
- F. Date(s) of spreading (no later than 5 days after delivery date).
- G. Amount to be delivered.
- H. Number of acres to be covered.

Section 3. Manure may not be stockpiled for more than 5 days between May 30th and September 30th of any year.

Section 4. Manure must be finely divided and spread thinly on ground (1-2 inches in depth) in order that it should dry quickly, within 5 days of delivery to site.

Section 5. Manure stockpiled prior to spreading dates must be at least +/- 300 feet from the nearest residence or business.

Section 6. Manure shall not be stockpiled within 200 feet of any brook, stream, river, well or natural watercourse.

Section 7. Manure may be utilized as field fertilizer during the entire year. However, such utilization during the months of June 1 – October 1 shall be under the terms and conditions outlined in this ordinance. Variances may be granted upon application to the Selectmen or their designated agent.

Violation, Enforcement and Penalties

Section 1. Non-compliance with any section of this ordinance shall be considered a violation. Each day in which a violation is proved to exist shall constitute a separate offense under this ordinance.

Section 2. The fines for violation of this ordinance shall be not less than \$100 or more than \$300 for each separate violation.

Section 3. Any persons operating in violations of this ordinance shall be subject to the immediate revocation of their permit and shall be liable for all costs associated with cleanup of the material, plus fines and penalties.

Section 4. Any persons operating without a permit shall be deemed in violation of this ordinance and shall be liable for all costs associated with the cleanup of the material, plus fines and penalties.

Section 5. Any person or persons, company or companies operating in violation of this ordinance shall cease such operations immediately upon the request of the Livermore Falls Board of Selectmen or its designated agent.

Failure to comply with such request shall be deemed a separate violation of this ordinance and shall carry the maximum penalty allowed.

Appeal/Hearing

The Board of Appeals shall, upon written application of the aggrieved party and after public notice, hear appeals from determinations of the Board of Selectmen or its agent in the administration of this ordinance. Such hearings shall be held in accordance with State laws.

Validity and Severability

If any section of this ordinance be declared by the courts to be invalid, such decision shall not invalidate any other sections or provisions of this ordinance.

Effective Date: The effective date of this ordinance is the date of adoption by Town vote. A certified copy of this ordinance shall be filed with the Municipal Clerk.

Adopted November 24, 1987

Repealed June 9, 1999

