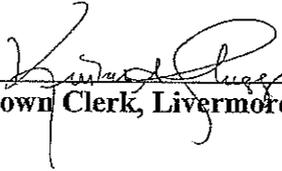


**SOLID WASTE DISPOSAL CONTROL AND RECYCLING
ORDINANCE
TOWN OF LIVERMORE FALLS**

Amended - 12-17-2012

**ATTEST: A True Copy of an ordinance entitled "Solid Waste
Disposal Control and Recycling Code Ordinance for the Town
of Livermore Falls" as certified to me by the Municipal
Officers of the Town of Livermore Falls on the 13th day of
June, 2001.**



Town Clerk, Livermore Falls

Solid Waste Disposal Control and Recycling Ordinance

Town of Livermore Falls, Maine

SECTION I. TITLE

This Ordinance shall be known, and may be cited as the “Solid Waste Disposal Control and Recycling Ordinance of the Town of Livermore Falls, Maine. The adoption of this ordinance revokes all previous solid waste control ordinances of the Town of Livermore Falls.

SECTION II. GENERAL STATEMENT OF PURPOSE AND AUTHORITY

A. Declaration of Policy

This ordinance is designed to control solid waste material in the Town of Livermore Falls, Maine, by providing for the establishment and enforcement of rules and regulations, establishing limitations, prohibiting certain acts causing solid waste disposal problems and providing for fines for violation of the provisions of this ordinance.

B. Authority for this Ordinance is Maine Revised Statutes Annotated Title 38, Section 1305.

SECTION III. SOLID WASTE DISPOSAL CONTROL STANDARDS AND REGULATIONS

A. The Selectmen are hereby granted authority to establish detailed operating rules and regulations for all municipal waste collection and disposal facilities. The rules and regulations shall be reviewed and revised as required to satisfy needs of Municipality, changes in State and Federal laws and regulations and the economics of municipal solid waste disposal. The rules and regulations shall include the operating hours of the facility. No person shall use the facility outside of said hours of operation without specific written consent of the Selectmen of Livermore Falls or its authorized agent, if any. The rules and regulations will become effective fifteen days following adoption by the Legislative Body. Currently effective rules and

regulations shall be prominently displayed at the transfer station site and on file in the Town Office. Any person who has reason to feel that have been denied entry or treated unfairly must report it to the Town Manager for consideration. In the event that the situation can not be resolved at that level the complainant may appeal the Town Manager's decision to the Board of Selectmen.

- B. The use of the facility by any person shall be at the direction of the attendant designated by the Town Manager. Any person violating directives put forth by the attendant in the use of the facility or any person disregarding a directive of the facility attendant shall have their access to the facility denied.
- C. No hazardous waste shall be delivered to the facility.
- D. No industrial or commercial waste which creates a problem of disposal by virtue of Federal, State or local statutes, rules, regulations, etc. controlling or prohibiting its disposal shall be delivered to the facility.
- E. The Livermore Falls Transfer Station is operated solely for the benefit of Livermore Falls residents. Admission to the facility will be by permit only. Livermore Falls residents will be issued a permit without charge upon application to the Town Office. Residents must display a permit to gain access to the facility. Resident and non-resident commercial haulers must obtain a license for each vehicle. Licenses may be revoked by the Town Selectmen, following notice and hearing for violation of this Ordinance or Rules and Regulations. Licenses shall be renewed annually on or before January 1st and shall cost \$100.00. Commercial haulers shall deliver waste to the facility designated by the Town of Livermore Falls.

In order to obtain a license from the Town of Livermore Falls the hauler must provide proof of insurance for each vehicle applying for a permit, a statement guaranteeing the Town that there will be no mixed loads from other communities, and that all trucks will be in safe running order and will at all times be able to pass a State safety inspection. Statement will also guarantee that only drivers with appropriate valid licenses will be allowed to operate trucks in Livermore Falls.

- F. Residents who choose to employ a commercial waste hauler shall have the same responsibilities as a person who transfers their own goods to the Transfer Station to sort their solid waste and recyclables in a manner conducive to separation.
- G. Commercial Haulers taking their loads to the Livermore Falls Transfer Station (or another facility designated by the Town of Livermore Falls) must separate solid waste from recyclables in the same manner as households are required to do. Business and industry are not exempt from these rules and regulations. Haulers will be held responsible for loads being taken to facilities and will be refused entry if they do not comply with these rules.

SECTION IV. SOLID WASTE RECYCLING STANDARDS AND REGULATIONS

- A. All solid waste shall have the following commodities separated out and in a readily handle able form when brought to the facility:
 - 1. Glass-clear & colored
 - 2. Cans (steel & aluminum cans)
 - 3. Newspaper & Magazines
 - 4. Plastics-All containers marked #1-#7 except styrofoam
Milk & Water Jugs
Bleach, colored detergent, fabric softener bottles, color block milk jugs, etc.
 - 5. Junk mail, all paper, food boxes etc. Must be clean.
 - 6. Corrugated Cardboard
 - 7. Mercury switches and devices
 - 8. Batteries - Nicad, lithium, button batteries
 - 9. Lamps, Tubes - fluorescent, neon, mercury, sodium
 - 10. PCB Ballasts

This list may be changed by vote of the Selectmen after publishing the change twice in a local newspaper.

- B. All residential solid waste shall be delivered to the facility in see-through polyethylene or P.V.C. bags.

SECTION V. DEFINITIONS

In this Ordinance the following terms have the following meanings:

“Attendant”: Any person employed by the Town of Livermore Falls to supervise the solid waste facility and operate any necessary equipment.

“Facility”: The Town of Livermore Falls, Transfer Station. The facility may consist of more than one (1) site and more than one (1) system of disposal.

“Hazardous Waste”: Any waste which the Federal and/or State government(s) have determined to be hazardous in composition.

“Person”: Shall include individuals, partnerships, corporations, and the agents of any of them.

SECTION VI. PENALTIES

Whosoever violates this Ordinance shall, upon conviction, be punished by a fine of not more than \$100.00 and cost of attorney and court costs for the first offense. Fines after the first offense and conviction must be at least \$100.00, or more at the discretion of the Court, cost of attorney for the Town, and court costs. The State of Maine District Court of the District including Livermore Falls shall have jurisdiction of all offenses hereunder, subject to exception and appeal as is provided by Maine State Law.

SECTION VII. VALIDITY AND CONFLICT OF ORDINANCES

- A. The invalidity of any section, subsection, paragraph, sentence, clause, phrase or word of this Ordinance shall not be held to invalidate any other section, subsection, paragraph, sentence, clause, phrase or word of this Ordinance; and to this end, the provisions of this Ordinance are hereby declared to be severable.
- B. In any case where a provision of this Ordinance is found to be in conflict with a provision of any other Ordinance or Code of the Town of Livermore Falls existing on the effective date of this Ordinance, the provision which establishes the higher standard for the promotion and

protection of health and welfare of the community shall prevail.

SECTION VIII. EFFECTIVE DATE

This ordinance shall take effect and be in force from and after fifteen (15) days after its official adoption by the Town of Livermore Falls, pursuant to Maine State Statute.

Adopted: June 13, 2001

SOLID WASTE DISPOSAL AND RECYCLING RULES AND REGULATIONS

TOWN OF LIVERMORE FALLS

These rules and regulations are promulgated pursuant to the Town of Livermore Falls Solid Waste Disposal Control and Recycling Ordinance.

I. RESPONSIBILITY

It shall be the responsibility of each resident or primary occupant of a dwelling, commercial or industrial facility to provide for the disposal of all refuse generated therein accordance with these rules and regulations and the Livermore Falls Solid Waste Disposal Control and Recycling Ordinance. This responsibility includes the separation of refuse, delivery of refuse to the transfer station, using proper home storage of refuse, and proper methods of home disposal.

II. HOURS OF OPERATION

A. The Livermore Falls Transfer Station shall be open as follows:

Tuesday, Thursday & Saturday 8 am – 4 pm
Closed on Holidays

B. The Livermore Falls Transfer Station shall only be open at other times with specific agreement by the vote of the Board of Selectmen.

III. SEPARATION OF RECYCLABLE MATERIALS

All items will be disposed of in the following manner:

A. Paper, Plastic, Metal and Glass will be deposited in the specified location at the Livermore Falls Transfer Station.

B. Universal household hazardous waste such as light bulbs, mercury thermostats, ballasts etc. will be deposited in the specified location at the Livermore Falls Transfer Station.

- C. Limbs, Branches, etc.: These shall be disposed of on a specified site at the Livermore Falls Transfer Station. No stumps will be accepted.
- D. Leaves, Grass and other natural vegetation: All will be free of trash and shall be placed in the designated area at the Livermore Falls Transfer Station.
- E. Refrigerators, Freezers, Air Conditioners White goods: shall have doors removed before being brought to the Transfer Station and shall be disposed of in the proper area. A fee will be charged.
- F. Furniture: These shall be disposed of at the Livermore Falls Transfer Station. There will be a charge to be paid by the person disposing of this product.
- G. Demolition Lumber: Clean lumber with no sheetrock can be disposed of at the Livermore Falls Transfer Station at no charge.. If the lumber is dirty or contains sheetrock or other contaminates, a fee is charged for this product.
- H. Mattresses, Bedsprings, etc.: Shall be disposed of at the Livermore Falls Transfer Station. A fee will be charged for disposing of this product.
- I. Televisions, computer monitors, and other electronics, must be disposed of at the Livermore Falls Transfer Station. A fee may be charged for these items.
- J. Steel, Aluminum, Copper or Brass: These items will be placed on the metal pile under the direction of the Attendant.
- K. Tires: All tires will be disposed of in the proper area. A fee will be charged.
- L. Waste Oil: To be disposed of at the Jay Transfer Station.
- M. Car Batteries: Shall be disposed of in the proper accumulation area under the direction of the Attendant at the Livermore Falls Transfer Station.

- N. Ash: All stove or coal ashes of any kind will be disposed of at the designated area at the Livermore Falls Transfer Station under the guidance of the Attendant.
- O. All mufflers, tail pipes and other auto parts not containing fluids will be placed on the metal pile at the Livermore Falls Transfer Station.

IV. UNACCEPTABLE WASTE

The following types of waste shall not be accepted at the Livermore Falls Transfer Station:

- A. Hazardous waste of any kind including, but not limited to pathological wastes, chemicals, explosives, radioactive materials, toxic wastes, and other wastes defined by the Department of Environmental Protection.
- B. Sewage treatment plant and septic tank residues, except as directed or allowed by the Town.
- C. Animal and agricultural wastes such as manure and crop residues.
- D. Stumps.
- E. Anything containing asbestos.
- F. Abandoned or junked vehicles.

V. HOUSEHOLD SOLID WASTE

All household solid waste must not include any of the above listed items. This waste must be disposed of in the Transfer Station container in clear plastic bags or in suitable containers where contents are clearly visible.

The Transfer Station Attendant(s) may examine any material brought to the Transfer Station to insure that Rules and Regulations are complied with. The Transfer Station Attendant(s) may refuse to accept any solid waste that is hazardous or that is not separated in accordance to these Rules and Regulations. Regular police enforcement will be maintained. Violators will be prosecuted.

VI. HOME STORAGE AND DISPOSAL REQUIREMENTS

Storage shall be the responsibility of all dwelling, commercial and industrial facility owners or primary occupants. Storage shall be in closed containers or by other similar method to preclude odors, rodents, insects, etc. to become a nuisance.

VII. RESIDENTIAL MIXED LOADS

Any private resident (no commercial haulers) bringing Municipal Solid Waste to the Transfer Station that has not been sorted (recyclables from trash) may dump up to 2 cubic yards in the dumpster for a charge of \$50.00 per load. A load is anything from one bag up to 2 cubic yards, as determined by the Attendant(s). A permit must be issued from the Town Office and payment must be received previous to dumping. No hazardous waste or demolition can be included.