

**SOLID WASTE ORDINANCE****1. Title and Purpose:**

This ordinance shall be known as the Solid Waste Ordinance for the Town of Hollis, Maine. This ordinance has several purposes: to preserve and protect environmental resources, to protect the health, safety and welfare of the public, to enhance the quality and character of life in the town, and to improve efforts to recover and reuse valuable resources currently being wasted.

**2. Scope:**

This ordinance applies to all domestic producers (residential) of solid waste in the Town of Hollis, Maine.

**3. Authority:**

This ordinance is adopted pursuant to the Home Rule powers granted in the Maine Constitution, 30-A M.R.S.A. 3001 et seq., and 38 M.R.S.A. 1301 et seq.

**4. Definitions:**

The definitions set forth in 38 M.R.S.A. } 11 03 apply to this ordinance and are incorporated herein.

For the purpose of the Ordinance, the following definitions shall be observed in the construction of this Ordinance.

4.1 "Acceptable Waste" shall mean ordinary household trash (See Appendix C for examples) and animal waste from household pets such as cats, dogs, and birds.

Any substances which are included as "Acceptable Waste", but which are later determined to be harmful, toxic, dangerous or hazardous by any governmental agency or unit having appropriate jurisdiction, shall not be "Acceptable Waste" under the terms of this Ordinance.

4.2 "Recyclable Materials" shall mean all cardboard, paperboard, plastics (# 1 thru #7), household metal cans, newspapers, magazines and glass containers.

4.3 "Board" shall mean the Board of Selectmen.



4.4 "Construction and Demolition Debris" shall mean

- a) Construction/demolition debris
- b) Inert Fill
- c) Land Clearing Debris
- d) Wood waste

4.5 "Hazardous Waste" shall mean a waste substance or material in any physical state, designated as hazardous by the terms of the Waste Handling agreement and amendments thereto.

4.6 "Land Clearing Debris" shall mean solid wastes resulting from the clearing of land and consisting solely of brush, stumps, soil material and rocks.

4.7 "Recyclable" shall mean possessing physical and economic characteristics that allow a material to be recycled.

4.8 "Resource Recovery" shall mean 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.

4.9 "Solid Waste" shall mean useless, unwanted or discarded solid material with insufficient liquid content to be free flowing, including by way of example, and not by limitation, rubbish, garbage, refuse-derived fuel, scrap materials, junk, refuse, inert fill material and landscape refuse but shall not include septic tank sludge nor agricultural, Biomedical or Hazardous Wastes; it shall include Construction and Demolition Debris as defined herein. The fact that a Solid Waste or constituent of the waste may have value or other use or may be sold or exchanged does not exclude it from this definition.

4.10 "Solid Waste Disposal Facility" shall mean a solid waste facility for the incineration or land filling of solid waste or refuse-derived fuel. Facilities that incinerate material-separated, refuse-derived fuel, either alone or in combination with fuels other than municipal solid waste or refuse-derived fuels, are not solid waste disposal facilities.

4.11 "Special Waste" shall mean any solid waste generated by sources other than domestic and typical commercial establishments that exist in such an unusual quantity or in



such a chemical or physical state, or any combination thereof, that may disrupt or impair effective waste management or threaten the public health, human safety, or the environment and requires special handling, transportation, and disposal procedures. Special waste includes, but is not limited to the following:

- A. Oil, coal, wood and multi-fuel boiler and incinerator ash;
- B. Industrial and industrial process waste;
- C. Waste water treatment plant sludge, paper mill sludge, and other sludge waste;
- D. Debris and residuals from non-hazardous chemical spills and the cleanup of those spills;
- E. Contaminated soils and dredge spoils;
- F. Asbestos and asbestos-containing waste;
- G. Sand blast grit and non-liquid paint waste;
- H. High and low pH waste;
- I. Spent filter media and residue; and
- J. Other waste designated by the board, by rule.

4.12 "Unacceptable Waste" shall mean that portion of Waste which is not Acceptable Waste and includes, but is not limited to, sewage and its derivatives, agricultural waste, biomedical waste, construction and demolition debris, special nuclear or by-product materials within the meaning of the Atomic Energy Act of 1954, as amended, hazardous waste, automobile parts, bicycles, tricycles, wagons, swimming pool frames, swimming pool slides, lawn furniture, household or office furniture, charcoal or gas grills, propane canisters, lawn mowers or lawn care equipment, household appliances, electronics or yard waste.

4.13 "Waste" shall mean solid waste, biomedical waste, hazardous waste, agricultural waste and septic tank sludge, and include both Acceptable and Unacceptable Wastes.

4.14 "Waste Oil" shall mean a petroleum-based or synthetic oil that, through use or handling, has become unsuitable for its original purpose due to the presence of impurities or loss of original properties. Waste oil that exhibits hazardous wastes characteristics, or has been contaminated with hazardous wastes in excess of quantities normally occurring in waste oil, is subject to the provisions of the chapter dealing with hazardous wastes.



- 4.15 "Wood Wastes" shall mean brush, stumps, lumber, bark, woodchips, shavings, slabs, edgings, slash and sawdust, which are not mixed with other waste.
- 4.16 "Yard Wastes" shall mean grass clippings, leaves and other vegetal matter other than wood wastes and land clearing debris.

## 5. Solid Waste Disposal

5.1 Solid waste pick-up of residential household trash, recyclables, and animal waste from household pets shall be curbside on the same day, one day per week, with that day to be determined by residence location within the Town of Hollis. At this time, the Town of Hollis is divided into four pickup zones.

\*Residents on dead end roads and private ways must bring their trash to the end of the road with trash bagged and placed in barrels, recyclables in plastic containers or barrels, animal waste packaged per section 5.2C, and with residence 911 address marked on all containers.

5.1A Containers and/or bags should be placed at curbside **NO EARLIER** than 4 PM the evening prior and **NO LATER** than 6 AM of the scheduled pick- up day.

Explanation: When trash is brought curbside too early, animals may be attracted and elemental effects occur. Precipitation increases weight, and wind can scatter debris if containers/bags are torn or open. First-time offenses will be issued warnings for littering; repeat offenses may incur citations.

5.2 The Town of Hollis requires solid waste to be separated into household trash, recyclables, and animal waste from household pets.

5.2A Household trash must be bagged and bags must be tied. Bags of trash must weigh **35** pounds or less. No loose trash will be picked up. Containers should be no larger than **32** gallons and have handles. It is recommended that bags of trash be put in containers. Multiple bags may be put in the container.

5.2B Recyclables need not be sorted and should be loose inside a plastic barrel or plastic container marked "recycle". Recyclables will be picked up weekly on the same day as household trash pick-up. Containers should be no larger than **32** gallons and have handles. Containers with recyclables must weigh **35** pounds or less. Recyclable items



such as cardboard must be no larger than **18" X 24"**. If items are bundled, they must be **12"** thick or smaller. Shredded paper should be placed in a sealed clear or white bag.

5.2C Animal Waste must be sealed in a plastic bag and then placed in a second plastic bag in a five gallon pail with a handle. The pail of animal waste must weigh **35** pounds or less.

5.3 Household trash containing any recyclable material may not be picked up.

A sticker or note may be applied to the container or contents with the reason for non-collection.

5.4 See Appendix A for list of items that are not household trash nor recyclables and where to take such items.

5.5 See Appendix B for definitions of Residential and Commercial uses.

## **6. Administration and Enforcement:**

The Board of Selectmen, or their duly appointed agents, shall administer and enforce this ordinance. The Board shall adopt written regulations governing the curbside pick-up of both household trash and recyclables. The Board has the further authority to negotiate and contract with any person, corporation, agency, partnership, or other entity for the pick-up of household trash and recyclables. Violations of this ordinance shall be enforced with the provisions of 30-A M.R.S.A. 4452 as land use violations. The Penalties set forth -in 30-A M.R.S.A. }4452 shall apply to violations of this ordinance. In addition to the foregoing penalty provisions, any household that fails to separate recyclables from household trash may be denied trash pick-up until recyclables are separated from household trash.

## **7. Amendments:**

This ordinance may be amended as provided in 30-A M.R.S.A. 3004(4).

## **8. Severability and Effective Date:**

If any provision of this ordinance is found by a court of competent jurisdiction to be



unenforceable, the remaining provisions shall continue in full force and effect.

The effective date of this Ordinance shall be July 1, 2011.

Adopted this 14th day of June 2011.

Attest: \_\_\_\_\_

Town Clerk

\_\_\_\_\_  
, Selectman

\_\_\_\_\_  
, Selectman

SEAL

\_\_\_\_\_  
, Selectman



## APPENDIX A

## What is NOT Residential Trash?

NO bicycles, tricycles, wagons, swimming pool frames, swimming pool slides, etc.

NO lawn furniture, tables, chairs, lounges, charcoal grills, gas grills, propane canisters, etc.

NO lawn mowers, rototillers, seed spreaders, aerators, metal rakes, metal shovels, metal hoes, hose reels, power tools of any kind, etc.

NO office furniture, chairs, bookcases, file cabinets, desks, typewriters, etc.

NO household furnishings, desks, chairs, couches, tables, end tables, lamps, rugs, wall to-wall carpeting, mattresses, box springs, bed frames, plant pots, statues, figurines, etc.

NO household appliances, stoves, refrigerators, microwave ovens, broilers, toasters, mixers, radios, vacuum cleaners, coffee makers, etc.

NO electronics, televisions, computers, printers, fax machines, telephones, monitors, photo copiers, scanners, record players, CD players, VCR's, etc.

NO building or construction debris, wood, plywood, particle board, wafer board, masonite, MDF board, sheetrock, cement, cement blocks, bricks, asphalt roof shingles, metal roofing, vinyl siding aluminum siding, asbestos siding, windows, doors, sky lights, hearths, moldings, sinks, faucets, toilets, tubs, showers, counter tops, paneling, ceramic tiles, building insulation of any kind, etc.

NO yard waste, leaves, grass clippings, brush, branches, limbs, tree trunks, roots, stumps, etc.

NO hazardous materials, this includes, but is not limited to: fluorescent light bulbs, thermometers (with mercury), thermostats (with mercury, light switches (with mercury), antifreeze, oils, and solvent, chemicals, paints, any batteries, insecticides, fertilizers, etc.

NO Automotive or any type of vehicle parts including tires.

IT'S THE LAW! Maine Revised Statutes, Title 38, Chapter 16-B, §1663. Disposal Ban. After July 15, 2002, a person may not knowingly place a mercury-added product in solid waste for disposal in a solid waste disposal facility.

This means you may not place any type of fluorescent bulb, thermostats containing mercury, thermometers containing mercury, televisions or computer monitors in our curbside, household trash.



Appendix A (Continued)

Solid Waste Disposal Facilities

Waterboro Transfer Station

Located on Bennett Hill Road, off Route 202 in Waterboro

247-3440

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Commercial Paving & Recycling Co.

2 Gibson Road

Scarborough, ME 04074

883-3325

As sites change, they will be posted on our website @ [www.hollismaine.org](http://www.hollismaine.org)



## APPENDIX B

## Residential vs. Commercial

- A) **Apartment building:** any building with 2 or more dwelling units, none of which is the primary residence of the owner of the building. **Example:** A duplex with the owner living in half of the home, it will not be considered commercial however if the owner of the duplex is not a resident in the building it will be considered commercial. Likewise a building with 3 dwelling units or more will be considered commercial whether or not the owner lives in the building. **Commercial**
- B) **Dwelling unit:** a room or group of rooms designed and equipped exclusively for use as living quarters for only one (1) family, including provisions for living, sleeping, cooking and eating. The term shall include mobile homes but shall not include trailers or RV's. **Residential**
- C) **Duplex:** a detached residential building containing two (2) dwelling units, designed for occupancy by not more than two (2) families. **May be Commercial**
- D) **Family:** one (1) or more persons occupying a premise and living as a single housekeeping unit, as distinguished from a group occupying a boarding-house, lodging house, or hotel. Such unit shall not exceed five (5) persons not related by blood or marriage.
- E) **Boarding House:** a residential structure providing individual sleeping accommodations but not individual kitchen facilities. Meals are prepared and served to only members in residence in a common eating area. No supervision, medical treatment or rehabilitation is provided as an accessory use. **Commercial**
- F) **Hotel:** a commercial establishment offering lodging to transients on a day to day basis, and often having as accessory uses; eating and drinking areas, public rooms, retail and service businesses that are also available to the general public. By definition, hotel shall also include motel, motor hotel, motor inn and motor lodge. **Commercial**
- G) **Business:** any income producing enterprise.



H) **Home Occupation**: an occupation or profession, which is customarily carried on in a dwelling unit or accessory building by a member of the family residing in the dwelling unit. Clearly incidental and secondary to the use of the dwelling unit for residential purposes.

Home Occupations will be considered residential as long as the business portion does not create more solid waste that the dwelling unit itself creates. Example: dwelling unit with a family of three (3) creates 2-3 trash bags of waste a week--if another dwelling unit of the same size family with a home occupation creates 2-4 bags a week, it is OK, but if it creates 4-7 bags per week, the selectmen will notify that home occupation that it does not qualify, and they will have to be treated as commercial waste producers. **May be Commercial**

I) **Trailer Park** (also known as **Mobile Home Park**): a plot of land laid out to accommodate at least two (2) mobile homes. Each lot being for rent or lease to owner of mobile home. **Commercial**

APPENDIX C

Examples of Household Trash

Discarded Clothing:

Bedding, including sheets, blankets, and pillowcases, but not including mattresses or box springs.

Food Waste - if not home composted

Food Packaging Material (which cannot be recycled)

Styrofoam Packaging Material