



## TOWN OF CLINTON

### SOLID WASTE DISPOSAL ORDINANCE

**Section 1.** This Ordinance shall be known and be cited as the “Solid Waste Disposal Ordinance” for the Town of Clinton, Maine.”

**Section 2.** **Purpose and Authority**

1. Declaration of Policy. This ordinance is designed to control the disposal, recycling and reuse of solid waste material in the Town of Clinton by providing for the Clinton Solid Waste Transfer & Recycling Center the establishment and enforcement of rules and establishing limitations and prohibitions to protect the health, safety and welfare of the citizens of Clinton and to protect the environment and natural resources of the Town.
2. Authority of this Ordinance is Maine Revised Statutes Annotated, Title 38, Sections 1305.
3. The Clinton Solid Waste and Recycling Center shall operate according to the Department of Environmental Protection’s (DEP) licensing requirements for the facility and DEP’s official Operating Manual.
4. The Clinton Solid Waste and Recycling Center shall operate within the guidelines of the license issued by the Department of Environmental Protection
5. The adoption of this ordinance shall replace and repeal the ordinance known as “Mandatory Recycling Ordinance” with the effective date of January 1, 1992 and revised on November 13, 2014.

**Section 3.** **Rules for Governing Solid Waste Management**

1. The Clinton Board of Selectmen are hereby authorized to establish and amend the Transfer Station operating rules (Addendum 1) for all municipal waste collection, transfer, reuse, recycling and disposal systems and facilities.
2. The Clinton Board of Selectmen are authorized to change disposal methods of operation as global and domestic markets change and directly affect the town’s ability to continue operations in a cost-effective manner.

3. The Rules shall be reviewed and revised periodically to maintain compliance with the Department of Environmental Operating Manual, and to satisfy the needs of the Municipality, State and Federal laws and regulations.
4. Deposition of trash at locations, sites or areas within the Town which have not been designated as an acceptable facility or site by the Clinton Board of Selectmen is a violation of this Ordinance.
5. The Rules shall include the operating hours of the facility.
6. The Rules shall not allow a person or persons to use the facility outside the set hours of operation.
7. Rules shall be displayed at the Transfer Station and Town Office and shall be provided to residents upon request.

**Section 4. User Permits Required**

1. Admission to the facility shall be by permit only or by verbal permission of those authorized to make an exception.
2. Permits will be issued upon application at the Transfer Station Office to those meeting the following criteria:
  - a. A resident/owner of the Town of Clinton or Town of Benton with a vehicle registration revealing the home address of resident.
  - b. A resident/renter of rental property located in the Town of Clinton or the Town of Benton with a vehicle registration revealing the rental unit address.
  - c. Residents using multiple vehicles may have a separate permit for each vehicle.
  - d. A taxpayer, who may not be a resident, of the Town of Clinton or Town of Benton with a property tax bill revealing the address of the taxpayer's property.
  - e. A commercial business entity operating within the Town of Clinton or the Town of Benton.
3. Permits must be displayed to gain access to the facility.
4. The Town of Clinton shall maintain permit lists for each town or contract to separately identify users.
5. Permits may be revoked by the Clinton Board of Selectmen following notice and hearing for violation of this Ordinance or rules.

**Section 5. Authorized Use and Access of the Transfer Station**

1. The Clinton Solid Waste Transfer & Recycling Center is licensed by The Department of Environmental Protection (DEP) as a solid waste transfer station and recycling center operated for the benefit of Clinton residents and commercial establishments operating within town.
2. The Recycling Exchange Shop shall be established as part of Clinton's recycling program and shall be under the guidance of the Transfer Station Manager. Hours of operation may vary depending on available volunteer hours.
3. Benton Residents and commercial establishments operating within the Town of Benton have the same rights and privileges at the Clinton Solid Waste Transfer & Recycling Center by a contract authorized by the two Boards of Selectmen from Clinton and Benton.
4. The access of the public to the Transfer Station shall be at the strict direction of the Transfer Station Manager and staff. No person shall be allowed to violate any directives or rules.
5. The Transfer Station Manager shall have the authority to refuse access to the facility to that person until the person complies with the directives and rules or until the Selectmen have had the opportunity to hear the complaint.

**Section 6. Hazardous and Special Wastes Prohibited**

1. Hazardous and Special Wastes are as designated by the General Rules.
2. Hazardous and Special Wastes shall not be delivered, dumped or abandoned at the Transfer Station.
3. If any such waste is deposited at the facility in violation of this ordinance, the clean-up and all legal costs associated with proper disposal shall be borne by the person responsible for the dumping.

**Section 7. The Selectmen have the right to:**

1. Set standards on the acceptance of wastes generated by businesses whose waste may not be like General Refuse as defined herein.
2. Refuse industrial wastes which is not like General Refuse.
3. Designate additional recyclable components to the rule to meet market changes

**Section 8. Solid Waste Management**

1. All types of solid waste generated within the Town of Clinton and the Town of Benton shall be separated for disposal and deposited in appropriate areas as designated by on-site signage and by the Transfer Station staff. At a minimum, the following areas are provided for waste deposition:
  - a. **Solid Waste**/Household Trash – (Bin 2) Food waste, clothing, trash not disposable by any other method.

- b. **Recyclables** – (Bin 4) Recyclable items are defined as tin cans, aluminum cans, plastic glass newsprint and corrugated cardboard.
- c. **Recycling Exchange Shop** – Residents may dispose of reusable items at the Recycling Exchange Shop
- d. **Demolition Debris** (Bin 5) Demolition Debris is defined waste wood from construction, sheetrock, clean waste wood, and wooden furniture
- e. **Brush** and small tree limbs will be burned on site by the Clinton Fire Department when the Fire Chief deems the conditions appropriate
- f. **Metal** – (Bin 3) - All metal items
- g. **White Goods Storage** – Refrigerators, freezers, stoves, air conditioners, washers and dryers
- h. **Tire Storage** – With rims and without rims
- i. **Compost** – Material appropriate for composting
- j. The Selectmen shall have the authority to designate additional recyclable components by rule.

**Section 9. Waste Deposition**

1. Wastes will be deposited in appropriate areas designated by signs on-site and by the transfer station staff. At a minimum, the following areas are provided for waste deposition:
  - a. Household Trash (Bin2)
  - b. Metal (Bin 3)
  - c. Demolition Debris (5)
  - d. Recycling (Bin 4)
  - e. Recycling Exchange Shop
  - f. Textile Recycling – Apparel Impact Bins
  - g. White goods storage
  - h. Tire storage area
  - i. Brush Burning area
  - j. Universal Hazardous Waste Area
  - k. Paint Disposal – Paint Care of Maine
  
2. **Recyclables:** Recyclables shall be disposed of in Bin 4 unless items are appropriate to be placed in the Recycling Exchange Shop. Except for cardboard Items deposited in Bin 4 must be in plastic bags or closed/covered boxes or containers whenever possible to eliminate loose items creating litter on the property or creating a safety hazard when being hauled to the final disposal site.
  
3. **General Refuse:** General refuse (household trash and/or food waste) must be placed in plastic bags or closed/covered boxes or container to eliminate loose items creating litter on the property or creating a safety hazard when being hauled to the final disposal site.

4. **White Goods/Metals:** White goods (stove, refrigerator, washer, dryer, freezer) shall be deposited at the storage area so as not to block access to the containers. Other products (air conditioners) shall be further segregated within the storage area by the Transfer Station Manager or staff.
5. **Tires:** Tires (under 20 inches) shall be piled neatly at the storage area so as not to block access to the pile and will be disposed of as appropriate by the Transfer Station Staff.

**Section 10. Transfer Station Fees**

The Clinton Board of Selectmen shall establish fees by rule for the deposition of:

1. White goods and/or appliances, furniture, televisions and electronics
2. Other metals as required
3. Tires
4. Household Trash
5. Per ton fee for Use of Scales
6. Universal Hazardous Waste - Batteries/all types; Fire Extinguishers

**Section 11. Violations, Enforcement and Penalties**

1. The Clinton Police Department shall enforce this Ordinance at the direction of the Transfer Station Manager or the Town Manager.
2. Any person convicted of a violation of this Ordinance or rules adopted pursuant hereto shall be Subject to a fine of not less than \$100 or more than \$500 for each occurrence.
3. The person so convicted shall also be liable for legal expenses incurred by the Town as well as costs to correct the violation.

**Section 12. Validity and Conflict of Ordinances**

1. If any section, Subsection, paragraph, sentence, phrase, or word of this Ordinance is found to be invalid, unconstitutional, or inapplicable, it shall not affect or impair the remaining provisions of this Ordinance.
2. If this Ordinance conflicts with other town ordinances, then the strictest provisions shall apply.
3. Provisions of federal and state laws and rules adopted pursuant thereto shall govern if such provisions are more stringent than the provisions of this ordinance.

**Sections 13. Definitions**

1. **Transfer Station Manager.** The person employed by the Town to supervise the solid waste facility and operate any necessary equipment. The transfer station staff will likewise be under his or her direction.
2. **Facility.** The Clinton Solid Waste Transfer and Recycling Center.

3. **Hazardous Waste.** Shall include any material or waste which the federal and/or state government has determined to be hazardous and is considered appropriate for disposal at a solid waste facility.
4. **Person.** Shall include, but not limited to, individuals, partnership, corporations and their agents.
5. **Selectmen.** Members of the Clinton Board of Selectmen
6. **Resident.** An individual whose permanent home address is Clinton or Benton
7. **Commercial Resident** – A business entity operating in Clinton or Benton
8. **Taxpayer.** An individual owning property in Clinton or Benton that does not reside in either town.
9. **Special Waste.** Waste designated by the Maine Board of Environmental Protection as Special Wastes.
10. **General Refuse or Waste.** Ordinary solid wastes generated by normal household operations except: (1) wastes identified in this Ordinance; or (2) other wastes identified by rules which include but are not limited to white goods, appliances, furniture, mattresses, tires, construction and demolition debris, brush, and leaves.
11. **Town.** Town of Clinton, Maine.

**Section 14.** **Effective Date of Ordinance Revision** - The effective date of this Ordinance shall be Wednesday, July 15, 2020.

Approved by Board of Selectmen – May 12, 2020

Adopted by the Voters – Town Meeting Election – July 14, 2020

**End of Ordinance**

## **Clinton Solid Waste Transfer & Recycling Center**

### **General Rules**

I. The following wastes are prohibited at the Clinton Solid Waste Transfer & Recycling Center:

#### **A. Deposit of Refuse**

1. **Prohibited Wastes:** The following wastes will not be accepted by the Clinton Solid Waste Transfer & Recycling Center.

- a. Hazardous waste which for the purposes of this facility shall include substances listed by the EPA and/or DEP as hazardous wastes or which are flammable, toxic, corrosive, or reactive by themselves or in combination with other wastes.
- b. Hazardous substance containers unless adequately cleaned and approved by attendant.
- c. Large pressured containers (over one-quart capacity).
- d. Liquid or viscous wastes
- e. Animal wastes or carcasses, manure, or crop residues.
- f. Automobile or vehicle chassis or vehicle parts such as vehicle fuel tanks, etc.
- g. Wastewater treatment plant sludge, paper mill sludge and another sludge waste.
- h. Sewage treatment plant and septic tank sludge or residues.
- i. Special
  1. Incinerator ash.
  2. Industrial and industrial processes waste.
  3. Debris and residuals from nonhazardous chemical spills and cleanup of those spills.
  4. Contaminated soils and dredge spoils.
  5. Asbestos and asbestos-containing wastes.
  6. Sand blast grit and non-liquid paint waste.
  7. Medical and other potentially infectious or pathogenic waste.
  8. High and low pH waste.
  9. Spent filter media residue.
  10. Agricultural or Industrial Shredder residue.
  11. Other waste designated by the Board, by rule.

#### **II. Waste shall be separated into the Following categories:**

A. Wastes to be separated: Wastes requiring separation from the general refuse are listed below:

1. White goods, major appliances and bulky metals including wheel rims.
2. Furniture and mattresses.
3. Clean wood waste includes brush, limbs, scrap lumber and clean wood from demolition projects.
4. Inert fill includes cured concrete, cinder blocks, bricks, cured bituminous concrete, stone and similar substances which do not leach or degrade.
5. Recyclables as designated in Section 9.

### III. Transfer Station Fees

The following fees shall be charged for the deposition wastes:

1. Business Accounts	Recyclables	No Charge
	Business/ Office Waste	No Charge
2. White goods:		
a. Refrigerator		\$12.00 each
b. Air conditioner		\$12.00 each
c. Televisions and Computers		No Charge
d. Electronic components (DVD, DVR, VCR)		\$2.00 each
e. Large Office Equip(Fax, Scanners, copier)		\$25.00 each
3. Large plastic toys or lawn furniture		No Charge
4. Baby cribs, highchairs, strollers, car seats		No Charge
5. Brush, landscaping clippings, tree limbs		No Charge
6. Demo Debris:		
a. Furniture, Carpets, Mattress/Box Spring		\$106 per ton
b. Construction Debris, shingles, sheetrock		\$106 per ton
c. Metal, iron, aluminum, tin, copper		No Charge
d. Vacuum Cleaners		\$1.00 each
e. Tires under 20” – no rims		\$2.00 each
f. Tires under 20” – Rims		\$5.00 each
7. Universal Hazardous Waste – Batteries-all types		No Charge
Fire Extinguishers		No Charge
8. E-Waste Disposal – Fluorescent Lamps		\$2.00 each

1. Residents paying the above fees shall be provided a receipt **upon request**.

IV. **The Transfer Station Manager** shall have final say in deposition of all wastes. The Manager’s decision may be appealed to the Clinton Board of Selectmen; however, the waste in question shall not be deposited at the site until resolved by the Selectmen.

V. **The following rules are enacted to protect the health and safety of the public:**

- A. Unauthorized or untrained persons shall not use equipment. Only the Transfer Station staff, and the Highway Contractor are authorized to use equipment.
- B. Do not salvage items from the facility without permission from the Transfer Station Manager.

- C. Staff shall not operate equipment in the presence of residents at any of the disposal bins. Residents should take care to stay clear of moving equipment.
- D. Unauthorized persons shall not enter buildings or material containers.
- E. For the sake of public safety all children under 16 years of age shall remain in the vehicle unless accompanied by an adult in the Recycling Exchange Shop
- F. Unauthorized persons shall not loiter in or around the transfer station for business or activities unrelated to the purpose of the Transfer Station and the Recycling Exchange Shop per the Department of Environmental Protection’s (DEP) Standard Operating Manual for Transfer Stations.

**VI. The Transfer Station hours of operations shall be:**

Monday	Closed
Tuesday	Closed
Wednesday	7:00 am - Gate Closes 4:45 pm
Thursday	7:00 am - Gate Closes 4:45 pm
Friday	7:00 am - Gate Closes 4:45 pm
Saturday	7:00 am - Gate Closes 4:45 pm
Sunday	Closed

Scales Close at 4:30 p.m.

Closed           Holidays – When one of the holidays identified in Clinton’s Personnel Policy (amended March 12, 2019) fall on a Wednesday, Thursday, Friday or Saturday the Transfer Station shall be closed. (*New Year’s Day, Martin Luther King Day, President’s Day, Patriot’s Day, Memorial Day, July 4<sup>th</sup>, Labor Day, Indigenous People’s Day, Veteran’s Day, Thanksgiving Day, Day after Thanksgiving, Christmas Day*)

**End of General Rules for Clinton Solid Waste Transfer & Recycling Center**

Fee Schedule Approved by Board of Selectmen – May 12, 2020

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