

Town of Littleton	PAGE 1 OF 2
Littleton, New Hampshire	EFFECTIVE:
<i>Solid Waste - Recycling Ordinance Chapter 21</i>	REVIEW DATE & OPR March 23, 2005
	APPROVED AT TOWN MEETING ON: March 23, 2005

Article I – Introduction

A. AUTHORITY

Pursuant to the Authority of RSA 31:39 and RSA 149-M the Town of Littleton, New Hampshire hereby adopts the following ordinance for the operation of the Littleton Transfer Station and the collection and handling of solid waste and recyclables.

B. TITLE

This Ordinance will be known as and may be cited as the Town of Littleton, New Hampshire (Solid Waste – Recycling Ordinance).

C. PURPOSE

The Littleton Transfer Station (hereafter referred to as LTS) is operated for the disposal of authorized municipal solid waste placed in Town of Littleton trash bags and the disposal of construction and demolition debris as required by RSA 149-M:13 and the drop-off of recyclable materials. Accordingly, this ordinance is intended to:

- (1) Prevent unauthorized entrance and use of the LTS.
- (2) Prohibit the deposit of illegal and unacceptable waste.
- (3) Control the disposal of authorized solid waste to facilitate compliance with operating standards, including but not limited to facility operation, disposal, and improvement of efficiency.
- (4) Establish fees for the use of the LTS.

Article II – Definitions

A. GENERAL DEFINITIONS

Except as specifically designated herein, all words used in this ordinance shall carry their customary dictionary meanings.

B. ADDITIONAL DEFINITIONS

Agricultural Waste –Includes manure, prunings, spoilage, crop residue, and dead animals.

Aluminum Cans – The term aluminum cans as used herein includes only those containers and parts of containers made entirely of aluminum of a size of one gallon or smaller, (including beverage and food cans).

Attendants – Those persons employed or designated by the Town of Littleton at the LTS who shall have the authority to enforce the terms of this Ordinance and require compliance with any other rules and regulations pertaining to the LTS.

Bags – Specially marked bags designed for refuse as approved by the Town of Littleton, sold by the Town through various commercial/retail outlets throughout the Town. Bags will be sold at a price that reflects the per bag cost of refuse disposal and transportation to a permitted solid waste facility. *(BAGS MAY NOT EXCEED THIRTY-FIVE POUNDS IN WEIGHT and MUST BE TIED CLOSED).*

Batteries –

Automotive Batteries – Batteries from automobiles, trucks, tractors and other similar vehicles.

Household Batteries – Dry cell batteries, either disposal or rechargeable.

Bulky Waste – A large piece of furniture, carpet, or waste material from a residential source other than construction and demolition debris or hazardous waste.

Brush & Tree Limbs – All tree limbs and brush not exceeding 5” in diameter.

Clean Wood – All wood products that are neither painted, stained or pressure treated. Materials specifically excluded are plywood and chipboard.

Commercial Waste – Solid waste generated by commercial facilities including, but not limited to retail, restaurants, and recreational facilities. Commercial waste will be accepted at the LTS in Town bags only.

Construction and Demolition Debris – Building materials and rubble, which is solid waste resulting from the construction, remodeling, repair or demolition of structures or roads. Such waste includes, but is not limited to, bricks, concrete, other masonry materials, wood, wall coverings, plaster, drywall, plumbing, fixtures, non-asbestos insulation or roofing shingles, asphalt pavement, non-recyclable glass, plastics that are not sealed in a manner that conceals other wastes, electrical wiring and components containing no hazardous liquid or metals that are incidental to any of the above. Solid waste that is not construction and demolition debris, even if resulting from the construction, remodeling, repair and demolition of structures, roads and land clearing includes, but is not limited to asbestos waste, garbage, corrugated container board, electrical fixtures containing hazardous liquids such as fluorescent light ballasts or transformers, carpeting, furniture, appliances, tires, drums, containers and fuel tanks.

Electronic Wastes – Those wastes, which include but are not limited to televisions, computer monitors, central processing units (CPUs), servers, VCRs and stereos.

Freon Bearing Appliances (FBAs) – Any appliance containing Freon such as a refrigerator, air-conditioner, etc.

Glass Containers – The term glass as used herein is to include all bottles and jars made entirely of glass and used in the storage of food and beverage, ceramics, Pyrex, temper and flat glass, commonly known as window glass and fixtures. Specifically excluded are light bulbs and safety glass.

Household Hazardous Waste (HHW) – Solid waste discarded from homes or similar sources that exhibit any of the following characteristics: ignitability, corrosivity, reactivity, and toxicity. Such waste includes, but is not limited to; oil-base paints and stains, gasoline, household cleaners, pesticides, herbicides, driveway sealers, roofing tar, and pool chemicals.

Industrial Waste – Solid waste generated by industrial processes and manufacturing operations.

Infectious Waste – Any waste, which because of its infectious nature, may cause or significantly contribute to an increase in mortality or an increase in serious irreversible or incapacitating reversible illness; or pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, disposed of or otherwise managed.

Institutional Waste – Solid waste generated by institutions, e.g. schools, hospitals, churches and nursing homes.

Large Metal Objects – Scrap metal of all kinds, e.g. pipe, wire, appliances (non-FBA), sheet metal, motors, tools, bed springs, etc.

Municipal Solid Waste (MSW) – Solid waste generated in residences, commercial or industrial establishments, and institutions, but excluding construction and demolition debris, automotive scrap, motor vehicle waste, infectious waste and asbestos. For the purposes of this Ordinance, it does not include hazardous waste as defined in RSA 147A:2, infectious waste as defined in this Ordinance, solid or dissolved materials and irrigation return flows, or municipal and industrial discharges which are point sources subject to permits under section 402 of the Federal Water Pollution Control Act, as amended, or sources, special nuclear or by-product material as defined by the Atomic Energy Act of 1954, as amended.

Paper – All types of paper material including but not limited to corrugated cardboard (OCC), magazines, newspapers, boxboard (cereal boxes), junk mail, office paper, telephone books, Kraft bags, etc.

Plastic – All types of polyethylene (PETE #1 – e.g. soda bottles) and high-density polyethylene (HDPE #2 – e.g. milk jugs and laundry detergent bottles) containers.

Recyclable Materials – All materials designated by the Selectmen to be recycled by users of the LTS.

Scrap Metal – All material in which a magnet will stick to it, aluminum scrap and metal strapping. Materials specifically excluded are propane tanks (with or without valves) and any gas or petroleum tanks unless they have been cut in half and wiped clean.

Steel/Tin Cans – The term steel/tin cans as used herein includes only those containers and parts of containers made entirely of steel and tin, e.g. food containers, cat and dog food containers, empty and air-dried paint cans, empty aerosol containers and metal lids.

Tires – All rubber tires, e.g. automobile, truck, motorcycle, wheelbarrow, and bicycle tires.

Used Motor Oil – Crank case motor oil.

White Goods – Washing machines, dryers, stoves, refrigerators, dishwashers, etc.

Yard Wastes – All lawn clippings, leaves, and garden wastes.

Article III – General Provisions

A. ADMISSION

The LTS will be open for use by Town residents, non-resident property owners, and commercial/industrial operations. Non-residents and commercial/industrial operations located outside the Town of Littleton's boundaries will be allowed to use the LTS at the discretion of the Transfer Station Manager or the Lead Attendant.

B. REGULATION of LTS USE

- (1) Solid waste and recyclable materials will be accepted only during scheduled hours.
- (2) All solid waste and recyclable materials shall be placed in designated areas.
- (3) The LTS reserves the right to reject any materials that do not meet the Town's quality standards and specifications.
- (4) Everyone using the LTS shall observe posted rules and procedures. Those individuals not abiding by the posted rules and procedures will be asked to leave by the Transfer Station Manager or Lead Attendant. Repeated violations may result in individuals forfeiting their access to the LTS.
- (5) All vehicles and individual entering the LTS do so at their own risk and are liable for any and all damages they may cause at the LTS.

C. MATERIAL DISPOSAL AT THE LTS

All material brought to the LTS for disposal shall be separated into the following categories to be deposited in designated containers or locations at the LTS.

1. Municipal Solid Waste (MSW): All MSW disposed of at the LTS must be placed in Town of Littleton Pay-As-You-Throw trash bags (bags) and disposed of in the designated area. Private contractors who transport MSW collected in Littleton to the LTS must make sure all MSW is placed in Littleton bags.
2. Brush, Tree Limbs and Clean Wood – Brush of 5" diameter or less and clean wood is acceptable. No stumps will be accepted.
3. Construction and Demolition Debris – Construction and Demolition Debris is accepted provided it meets the definition as provided in this ordinance. The LTS accepts construction and demolition debris in loads pickup truck sized or smaller. A fee shall be charged by the Town for the disposal of such material.

4. Road Side Trash / Community Cleanups – The Town Manager, the Transfer Station Manager or the Lead Attendant may allow for the disposal of road side trash associated with community cleanups that is placed in the blue Litter Free NH trash bags.

D. PROHIBITED MATERIALS

The LTS will not accept the following materials:

1. Explosives, such as dynamite and ammunition
2. Gas, lead based paints, liquid asphalt, pesticides, herbicides, poll chemicals, and household cleaners (Bring these materials to a one-day HHW collection event – usually held the third Saturday in June.)
3. Smoke Detectors
4. Asbestos Waste
5. Sharps
6. Metal Shavings and Machine Chips
7. Infectious Waste (Any material, which in the opinion of the transfer station manager or the lead attendant constitutes a serious hazard to others, to the property of the Town or its employees, will not be accepted.
8. Hospital, nursing home and veterinarian materials and wastes, which are considered hazardous and contagious waste.
9. Manure
10. Any material, which in the opinion of the Transfer Station Manager or the Lead Attendant constitutes a serious hazard to others, to the property of the Town or its employees, will not be accepted.

E. TRESPASS

The LTS will be open during days and hours set by the Board of Selectmen. At all other times, gates will be locked and access strictly prohibited. Unauthorized individuals found on the premises at other than set hours shall be in violation of the Littleton Solid Waste / Recycling Ordinance.

F. PILFERING

No person, firm or corporation or their agent shall, except by permission of the Town Manager, Transfer Station Manager, or the Lead Attendant, remove any article or object which has been deposited and left at the LTS.

G. SUPERVISION

The Selectmen or their designees, including the Transfer Station Manager and the Lead Attendant, shall have the right to refuse the use of the LTS to any person, corporation, or other user who is misusing the LTS, or is violating this Ordinance. Any such act shall be guilty of a violation of this Ordinance.

H. BURN PIT OPERATION

The LTS Burn Pit will be open during days and hours set by the Board of Selectmen. Brush, tree limbs and clean wood will be able to be placed in the burn pit.

I. FIREARMS

The unauthorized discharge of firearms is prohibited at the LTS.

J. FEE COLLECTION

Fees for disposal and assessed fines shall be collected under the direction of the Board of Selectmen.

Article IV – Enforcement and Administration

A. PENALTIES

It shall be a violation of this Ordinance for any person or corporation to fail to operate within the provisions of this Ordinance, fail to obey directions from the transfer station manager and attendants, fail to pay fees or fail to separate materials into their proper areas, including recyclables, subjecting the violator to a suspension of the privilege of using the LTS up to one year and/or civil penalties as follows:

1. Notice of violation: Any law enforcement officer or the Board of Selectmen designee may serve a Notice of Violation to a violator which shall state the name of the violator, the nature of the violation and the date.
2. Complaint and Summons to Appear in Court: Any law enforcement officer or the Board of Selectmen designee may serve a Complaint and Summons to appear in the Littleton District Court upon any person or corporation alleged to be in violation of this Ordinance. The Complaint and Summons shall set out clearly the name of the violator, the date of the violation, the nature of the violation and a date for the appearance in court to answer the complaint. If the person or corporation is found to have violated this ordinance, the court may revoke the privilege to use the LTS for a period of up to one year and/or assess a civil penalty (maximum allowed by statute) for each violation. In addition, the court may award the Town of Littleton its costs and reasonable attorney's fees actually expended in pursuing legal action, and assess said costs and fees against the defendant providing the Town is found to be the prevailing party in the action.

B. EXEMPTION

In special circumstances, determined according to the facts of each instance, the fees may be modified or waived by the Board of Selectmen.

C. GRIEVANCE

Any person aggrieved by a regulation and/or fee shall have the right to appeal to the Board of Selectmen who shall have the authority to waive-and/or modify application of the Ordinance in a particular circumstance.

D. SEVARABILITY

The invalidity of any provision of this Ordinance shall not affect the validity of any other provision nor the validity of the Ordinance as a whole. Additionally, it can be instituted in whole or in part.

E. EFFECTIVE DATE

This Ordinance shall become effective upon approval of the Board of Selectmen.

Adopted: _____, 2005 Board of Selectmen:

William Hight, Chairman

George Hicks, Vice Chairman

Burton Ingerson

Appendix

A. HOURS of OPERATION

The hours of operation for the LTS will be as follows:

Sunday	CLOSED
Monday	CLOSED
Tuesday	12:00 PM to 4:00 PM
Wednesday	12:00 PM to 6:00 PM *
Thursday	8:00 AM to 4:00 PM
Friday	8:00 AM to 4:00 PM
Saturday	8:00 AM to 4:00 PM

*The Town discourages anyone bringing construction and demolition to the LTS on Wednesday between the hours of 4:00 PM and 6:00 PM. This time period is generally set aside for those who wish to dispose of MSW and drop off recyclables and are unable to use the LTS during regular operating hours. During this time period construction and demolition debris will be accepted at the discretion of the Transfer Station Manager or attendant in charge.

B. Recyclable Materials:

The ability to recycle the list of materials below is provided for everyone using the LTS. All recyclables shall be placed in the proper areas as directed by the transfer station manager and attendants. Recyclables shall be dry and free of food waste and other contaminants. Recyclables accepted at the LTS include:

- a.) Paper Material
- b.) Plastics
- c.) Steel / Tin cans
- d.) Glass Containers
- e.) Scrap Metal, Large Metal Objects and White Goods
- f.) Yard Wastes
- g.) Automotive Batteries
- h.) Tires
- i.) Asphalt Shingles
- j.) Textiles
- k.) Electronics
- l.) Used-Motor Oil
- m.) Oil-Based Paints & Stains
- n.) Latex-Based Paints & Stains (On a seasonal basis – see the Transfer Station Manager or Lead Attendant.)
- o.) Antifreeze
- p.) Fluorescent Light Bulbs
- q.) Rechargeable Batteries

r.) Propane Tanks

C. USER FEES

1. Municipal Solid Waste – All MSW disposed of at the LTS must be placed in Littleton Town bags. Large bags are \$1.50. Small bags are \$1.00.
2. Construction & Demolition Debris – All persons or corporations disposing of construction and demolition debris at the LTS will be charged a rate of \$26.50/cubic yard or \$.08/lb. The LTS accepts construction and demolition debris in loads pickup truck sized or smaller. Acceptance of construction and demolition debris not generated in the Town of Littleton will be at the discretion of the transfer station manager or the lead attendant.
3. Other Fees – Refer to the current Littleton Transfer Station brochure attached to this Ordinance.