

**TOWN OF VINALHAVEN  
SOLID WASTE, COMPOSTING & RECYCLING ORDINANCE**

***SECTION 1: TITLE***

This Ordinance shall be known and may be cited as the “Solid Waste, Composting & Recycling Ordinance for the Town of Vinalhaven”.

***SECTION 2: GENERAL STATEMENT OF PURPOSE & AUTHORITY***

A) Declaration of Purpose

This Ordinance is designed to control solid waste material in the Town of Vinalhaven 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.

The implementation of this Ordinance supports the following desired outcomes: to preserve and protect environmental resources, to protect the health, safety and welfare of the citizens of Vinalhaven, and to maximize recovery and reuse of valuable resources currently being wasted in traditional disposal practices.

B) Statement of Authority

This Ordinance is adopted pursuant to the Home Rule powers granted in the Maine Constitution, 30-A MRSA Section 3001 et seq., and 38 MRSA Section 1301 et seq.

***SECTION 3: RULES FOR GOVERNING SOLID WASTE MANAGEMENT***

- A. The Board of Selectmen is hereby authorized to establish detailed operating rules and regulations for all municipal solid waste collection and disposal facilities. The rules and regulations shall be reviewed and revised as required to satisfy the needs of the municipality, changes in state and federal regulations and economics of municipal solid waste disposal. The rules and regulations will become effective July 1, 1995. These rules and regulations shall be prominently displayed at the transfer station site and be on file at the Municipal Office.
- B. The use of the facility by any person shall be in compliance with the rules and regulations. Any person who violates any of the rules and regulations set forth by the Board of Selectmen shall be denied access to the facility until the person complies with the rules and regulations and or until the Board of Selectmen has had the opportunity to hear the complaint.
- C. The Operations Manual for the solid waste and recycling facility shall be incorporated as part of the rules.

**SECTION 4:            PROHIBITED WASTES**

The following types of wastes and refuse shall not be accepted as part of the household refuse stream:

1. Hazardous and special wastes as defined in Section 10;
2. Sewage treatment plant and septic
3. Animal and agricultural wastes such as manure and crop residues.
4. Tanks, vehicle fuel tanks, heating oil tanks, propane tanks, pesticides containers, and hazardous material containers.
5. Dead animals or animal parts, other than kitchen waste.
6. Motor vehicles, auto body parts, and truck parts.
7. Hazardous substance containers unless adequately cleaned and approved by the attendant.
8. Paints, thinners, poisons and oils.
9. All stumps and all wood over 10” in diameter.

**SECTION 5.            SELECTMEN’S RIGHTS**

The Board of Selectmen has the right to:

1. Set standards on the acceptance of wastes generated by businesses which waste is not similar to General Refuse as defined herein.
2. Refuse to accept industrial wastes which waste is not similar to general refuse.

**SECTION 6.            RECYCLING**

1. Solid wastes generated within the Town should be separated into recyclables and property deposited at the recycling center.
2. The following components shall be separated:
  - Corrugated cardboard  
Must be corrugated cardboard – plain cardboard not accepted. Corrugated cardboard must be flattened and dry.
  - Newsprint  
Complete including any inserts (black, white and colored). Large quantities shall be bagged or tied.
  - Glass Bottles (all colors)  
Common glass bottles and jars shall be separated by color (clear, green brown), rinsed and tops removed. Broken glass is not accepted.
  - Aluminum  
Cans, pie plates, cake tins, and foil. Items will be rinsed with labels removed.
  - Steel / Tin Cans  
Same as aluminum
  - Plastics  
Plastic items #2, rinsed with caps removed and crushed, screw caps only.
3. The Board of Selectmen have the authority to mandate additional recyclable components by rule.

**SECTION 7.            WASTE DISPOSITION**

1. Wastes will be deposited in appropriate areas as designated by the Operating Manual. The following areas will initially be provided for waste deposition. These areas may change as State regulation and market conditions dictate.
  - a. Recycling area
  - b. Transfer station
  - c. White goods storage area
  - d. Demolition storage area
  - e. Tire storage area
  - f. Junk car area
2. Recyclables: recyclables must be separated and handled according to Section 6, of this Ordinance.
3. Household Refuse: Household refuse or domestic waste shall be disposed in 33 gallon plastic bags not exceeding 40 pounds. Each bag deposited at the transfer station shall have an appropriate disposal sticker attached to it in a visible location. Stickers shall be purchased at the Municipal Office and transfer station. Bags without stickers will not be accepted.
4. White Goods / Metals: White goods shall be placed in the appropriate container.
5. Tires: Tires shall be piled neatly at the designated storage area. Wheel rims must be removed from all tires prior to placement on-site.
6. Junk Vehicles – Junk vehicles shall be deposited in the designated area.
7. Demolition: Building materials excluding hazardous or special waste will be placed at designated storage areas.
8. Trees / Brush: Trees and brush shall be disposed in the designated area.
9. Paints, Poisons and Thinners: Paints, poisons and thinners will be collected semi-annually on designated special waste collection days as determined by the Board of Selectmen

**SECTION 8:            FEES**

The Board of Selectmen shall establish fees (see attachment for fees effective with adoption of the Ordinance) for the deposition of:

1. White goods and/or appliances, furniture and TV's
2. Demolition debris
3. Automobile / truck tires up to and including 16"
4. Truck / tires over 16"
5. Household trash (cost per bag)
6. Paints, poisons, thinners

**SECTION 9: VIOLATIONS, ENFORCEMENT AND PENALTIES**

1. The Transfer Station Attendant and Code Enforcement Officer shall enforce this Ordinance and shall inform the Town Manager of any violations of this Ordinance. The Town Manager shall take any action necessary to enforce the Ordinance, and upon authorization of the Board of Selectmen, may institute legal or equitable proceedings to enforce this Ordinance.
2. At the discretion of the Board of Selectmen, any person violating any provision of this Ordinance shall commit a civil violation, punishable by a fine of not less than \$50 and not more than \$500. Each day a violation continues shall constitute a separate violation. Any fines collected shall accrue to the Town of Vinalhaven.

**SECTION 10: DEFINITIONS**

1. Attendant – the person(s) employed by the Municipality to supervise the solid waste facility and operate any necessary equipment.
2. Facility – the Town of Vinalhaven Solid Waste, Composing & Recycling Facility.
3. Hazardous Waste – a substance designated as hazardous by the State Department of Environmental Protection, also as defined by MRSA 38, par. 1303 (5).
4. Person – shall include, but not limited to, individuals, partnerships, corporations and their agents.
5. Special Waste – waste designated by the State Department of Environmental Protection as Special Wastes.
6. Household Refuse – 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 debris, brush, leaves and rock and masonry materials.
7. Town – Town of Vinalhaven, Maine

**SECTION 11: CONFLICT AND SEVERABILITY**

1. The provisions of this Ordinance shall supersede all other local laws, ordinances, resolutions, rules, or regulations contrary thereto, or in conflict therewith.
2. Should any section, paragraph, sentence, clause or phrase of this Ordinance be declared invalid for any reason, the remainder of said Ordinance shall not be affected thereby.

**SECTION 12: AMENDMENTS**

This Ordinance may be amended by the Board of Selectmen after notice and public hearing.

**SECTION 13: EFFECTIVE DATE**

The effective date of this Ordinance shall be July 1, 1995.

Dated: July 20, 1995

Amended: August 5, 1996

New Fees voted February 9, 1999

New Fee Schedule voted March 29, 2004 effective July 1, 2004.