

## Tri-Town

### Solid Waste/Recycling Ordinance



## **CONTENTS**

<b>Article I – Introduction.....</b>	<b>2</b>
<b>Article II- Definitions.....</b>	<b>3</b>
<b>Article III- General Provisions.....</b>	<b>5</b>
<b>Article IV- Enforcement and Administration.....</b>	<b>9</b>

### **Article I – Introduction**

#### **A. AUTHORITY**

Pursuant to the Authority of RSA 31:39 and RSA 149-M the Town of Lisbon hereby adopts the following Ordinance for the operation of the Lisbon-Lyman-Landaff Recycling Center for the collection and handling of solid waste and recyclables.

#### **B. TITLE**

This Ordinance shall be known as and may be cited as the Lisbon, NH Solid Waste-Recycling Ordinance.

#### **C. PURPOSE**

The Lisbon-Lyman-Landaff Recycling Center (hereafter referred to as LLRC) is operated solely for the disposal of authorized solid waste generated within the geographic limits of the towns of Lisbon, Lyman and Landaff as required by RSA 149-M:13 and the drop-off recyclable materials. Accordingly, this ordinance is intended to:

- (1) Prevent unauthorized entrance and use of the LLRC
- (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 LLLRC

## 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** – Shall include manure, prunings, spoilage, crop residue, and dead animals.

**Aluminum Cans** – The term aluminum cans as used herein shall be deemed to include only those containers and part of containers made entirely of aluminum of a size of one gallon or smaller, (including beverage and food cans).

**Attendants** – Shall mean those persons employed or designated by the Town of Lisbon at LLLRC who shall have the authority to enforce the terms of this Ordinance and require compliance with any other rules and regulations pertaining to the LLLRC.

**Bags** – Specially marked bags designed for refuse as approved by the Town of Lisbon 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 (35) POUNDS IN WEIGHT.

#### **Batteries –**

- a) Automotive Batteries – Shall mean batteries from automobiles, trucks, tractors and other similar vehicles.
- b) Household Batteries – Shall mean dry cell batteries, either disposal or rechargeable.

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

**Brush & Tree Limbs** – Shall mean all tree limbs and brush not exceeding 5" in diameter.

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

**Commercial Waste** – Shall mean that solid waste generated by, commercial facilities including but not limited to retail, restaurants, and recreational facilities.

**Construction and Demolition Debris** – Shall mean 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** – Shall mean those wastes, which include but are not limited to televisions, computer monitors, central processing (CPUs), LCDs, 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 shall be deemed to include all bottles and jars made entirely of glass and used in the storage of food and beverage, ceramic's, Pyrex, temper and flat glass, commonly known as window glass and fixtures.

**Household Hazardous Waste (HHW)** – Shall mean solid waste discarded from homes or similar sources that exhibit any of the following characteristics: ignitability, corrosivity, reactivity, toxicity. Such waste includes, but is not limited to, oil-based paints and stains, gasoline, household cleaners, pesticides, herbicides, and pool chemicals.

**Industrial Waste** – Shall mean that solid waste generated by industrial processes and manufacturing operations.

**Infectious Waste** – Shall mean any waste, which because of its's 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** – Shall mean that solid waste generate by institutions, e.g schools, hospitals, churches and nursing homes.

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

**Municipal Solid Waste (MSW)** – Shall mean solid waste generated in residences, commercial or industrial establishments, and institutions, but excluding construction and demolition debris, automotive scrap, motor vehicle 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 discharge 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** – Shall mean all types of paper material including but not limited to magazines, newspapers, junk mail, office paper, telephone books, Kraft bags, etc.

**Plastic** – Shall mean 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** – Shall mean all materials designated by the Selectmen to be recycled by users of the LLLRC.

**Scrap Metal** – Shall mean all material in which a magnet will stick to it, plus aluminum, copper, brass, scrap and metal strapping.

**Steel/Tin Cans-** The term steel/tin cans as used herein shall be deemed to include only those containers made entirely of steel and tin, e.g. food containers, cat and dog food containers, empts and air-dried paint cans, empty aerosol containers and metal lids.

**Tires** – Shall mean all rubber tires, e.g. automobile, truck, motorcycle, wheelbarrow and bicycle tires.

**Used Motor Oil** – Shall mean crank case motor.

**White Goods** – Shall mean washing, dryers, stoves, refrigerators, dishwasher, etc.

**Yard Waste** – Shall mean all lawn clippings, leaves, and garden wastes.

## **Article III – General Provisions**

## A. ADMISSION

The LLLRC will be open for use by the residents of Lisbon, Lyman and Landaff and non- residents property owners. Commercial use is permitted only to the extent that the material disposed of originates in the Towns of Lisbon, Lyman or Landaff. Admission to the LLLRC for disposal of residential solid waste will only be by permit, issued under the direction of the Board of Selectmen. Admission to the LLLRC for commercial disposal will only be permitted under the direction of the Board of Selectmen.

Hours of operation will be as follows:

Sunday	8:00 AM to 12:00 PM
Monday	Closed
Tuesday	Closed
Wednesday	1:00 PM to 5:00 PM
Thursday	Closed
Friday	Closed
Saturday	8:00 AM to 3:00 PM

## B. PERMITS

To use the LLLRC, a person must have a permit/sticker. Permits, evidenced by stickers, shall be affixed to the motor vehicle in a conspicuous place. All permits/stickers must be attached to a motor vehicle and be plainly visible to the facility operator and attendants on the driver side of the vehicle. Permit stickers will be made available to the town clerk's office in each of the participating towns and at the transfer station. Stickers will be issued to residents and property owners of the appropriate towns. Sticker colors will be changed every 5 years.

## C. ORIGIN OF MATERIAL DISPOSED OF AT THE LLLRC

Only wastes generated within the limits of the Towns of Lisbon, Lyman or Landaff shall be disposed of at the LLLRC.

## D. REGULATION of LLLC USE

- (1) Solid waste and recyclable materials will be accepted only during scheduled hours. The Selectmen shall designate the days and hours for operation of and access to the LLLRC.
- (2) All solid waste and recyclable materials shall be placed in designated areas.
- (3) The LLLRC reserves the right to reject any materials that do not meet the Town's quality standards and specifications.
- (4) Everyone using the LLLRC shall observe posted rules and procedures. Those individuals not abiding by the posted rules and procedures will be asked to leave by the facility operator. Repeated violations may result in individuals forfeiting their privilege of using the LLLRC.

(5) All vehicles and individual entering the LLLRC do so at their own risk and are liable for any and all damages they may cause at the LLLRC.

#### E. MATERIAL DISPOSAL AT THE LLLRC

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

1. Municipal Solid Waste (MSW): All MSW disposed of at the LLLRC must be placed in town bags and disposed of in the designated area. Private contractors who transport MSW collected in Lisbon, Lyman or Landaff to the LLLRC must make sure all MSW is placed in town bags.
2. Recyclable Material: The ability to recycle the list of materials below is provided for everyone using the LLLRC. All recyclables shall be placed in the proper areas as directed by the facility operator and attendants. Recyclables shall be dry and free of food waste and other contaminants. Recyclables accepted at the LLLRC include:
  - a. Paper Material
  - b. Plastics
  - c. Steel/Tin cans
  - d. Glass Containers
  - e. Scrap Metal, Large Metal Objects and White Goods
  - f. Yard Waste
  - g. Automotive Batteries
  - h. Tires
  - i. Usable Clothing
  - j. Electronics
  - k. Latex- Based Paints & Stains
  - l. Antifreeze
  - m. Fluorescent Light Bulbs
  - n. Rechargeable Batteries
3. Brush, Tree Limbs and Clean Wood – Brush of 5" diameter or less and clean wood is acceptable.
4. Construction and Demolition Debris – Construction and Demolition Debris is accepted provided its meets the definition as provided in this ordinance. The LLLRC accepts construction and demolition debris in loads pickup truck size or smaller. A fee shall be charged by the Town for the disposal of such material.



5. Road Side Trash/ Community Cleanups – The Board of Selectmen and / or the facility operator may allow for the disposal of road side trash associated with the community cleanups that is placed in the blue Litter Free NH trash bags.

#### F. PROHIBITED MATERIALS

The LLLRC will not accept the following materials:

1. Explosives, such as dynamite and ammunition
2. Asbestos waste
3. Metal shavings and machine chips
4. Infectious Waste Any Material, which in the opinion of the facility operator constitutes a serious hazard to others, to the property of the Town or its employees will not be accepted.
5. Hospital, nursing home and veterinarian materials and waste, which are considered hazardous and contagious waste.
6. Manure
7. Any material, which in the opinion of the facility operator constitutes a serious hazard to others, to the property of the Town of its employees, will not be accepted.
8. Enclosed, metal 55-gallon drums

#### G. TRESPASS

The LLLRC 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 Lisbon, NH Solid Waste/Recycling Ordinance and state DES permit.

#### H. PILFERING

No person, firm or corporation or their agent shall, except by permission of the Board of Selectmen or facility operator, remove any article or object which has been deposited and left at the LLLRC.

#### I. SUPERVISION

The Selectmen or their designees, including the facility operator and attendants, shall have the right to refuse the use of the LLLRC to a person, corporation, or other user who is misusing the LLLRC, or is violating this Ordinance.



#### J. BURN PIT OPERATION

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

#### K. FIREARMS

The unauthorized discharge of firearms is prohibited at the LLLRC.

#### L. FEE COLLECTION

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

#### M. USER FEES

1. Municipal Solid Waste – All MSW disposed of at the LLLRC must be placed in Town bags. Large bags (33 gallon) are \$3.00/each. Small bags (20 gallon) are \$2.00/each
2. Other Fees: As approved by the tri-town boards.

See Appendix A

**Note: Debris from large construction projects will not be accepted. Loads shall be pickup size or smaller.**

### 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 facility operator 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 LLLRC up to one year and/or civil penalties as follows:

1. Notice of violation: Any law enforcement officer or the Board of Selectmen designees 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. Such notice shall result in the suspension of the privilege of using the LLLRC for a period of thirty (30) days.
2. Complaint and Summons to Appear in Court. Any law enforcement officer or the Board of Selectmen designees 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 the court to answer the complaint. If the person or the corporation is found to have violated this ordinance, the court may revoke the privilege to use the LLLRC 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 Lisbon 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. SEVERABILITY**

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

## **E. AUTOMATIC REPEAL**

This Ordinance shall automatically repeal previous solid waste ordinances at the time of its passage.

## **F. EFFECTIVE DATE**

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

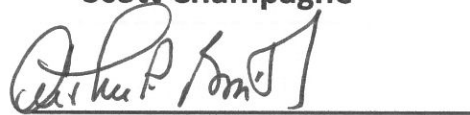
**ADOPTED: June 5, 2017**

**Town of Lisbon  
Board of Selectmen:**

A handwritten signature in dark ink, appearing to read "Scott Champagne", written over a horizontal line.

**Chairman**

**Scott Champagne**

A handwritten signature in dark ink, appearing to read "Arthur Boutin", written over a horizontal line.

**Selectmen**

**Arthur Boutin**

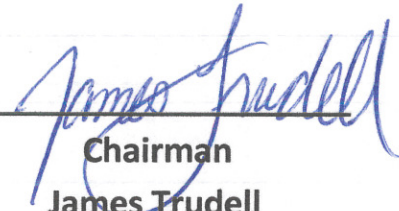
A handwritten signature in dark ink, appearing to read "Brian Higgins", written over a horizontal line.

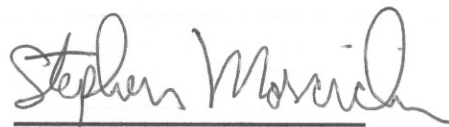
**Selectmen**


**Brian Higgins**

**ADOPTED: June 5, 2017**

**Town of Lyman  
Board of Selectmen:**

  
Chairman  
James Trudell

  
Selectmen  
Stephen Moscicki

  
Selectmen  
Bruce Beane

**ADOPTED: June 5, 2017**

**Town of Landaff  
Board of Selectmen:**

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**Chair**

**Valerie Kimber-Roy**



**Selectmen**

**Michael Ransmeier**



**Selectmen**

**Errol Peters**

## **Appendix A**

### **BULKWASTE**

<b>C&amp;D</b>	<b>10¢/LB</b>
<b>Television &amp; Electronics</b>	<b>25¢/LB</b>
<b>Computers</b>	<b>No Charge</b>
<b>Refrigerators &amp; Freezers</b>	<b>\$15.00 Each</b>

### **TIRES**

<b>Tires up to 16"</b>	<b>\$3.50 Each</b>
<b>Tires 17"-22"</b>	<b>\$5.00 Each</b>
<b>Backhoe or Similar</b>	<b>\$45.00 Each</b>
<b>Bias Ply Loader Tires</b>	<b>\$100.00 Each</b>
<b>Radial Loader Tires</b>	<b>\$175.00 Each</b>

### **MUNICIPAL SOLID WASTE BAGS**

<b>LARGE</b>	<b>\$30.00 Package of Ten</b>
<b>SMALL</b>	<b>\$20.50 Package of Ten</b>