

**REGULATING THE SEPARATION, COLLECTION, AND
DISPOSITION OF RECYCLABLE MATERIALS, BULKY WASTES,
AND SPECIAL WASTES, AND A SYSTEM FOR
ADMINISTRATION THEREOF**

BE IT ORDAINED by the Town Meeting of the Town of Haddam that the following ordinance be adopted pursuant to the provisions of Public Acts 87-544, 90-220 and 90-249.

I. DEFINITIONS.

Bulky Waste: Defined by the regulations of the Connecticut Department of Environmental Protection, as may be amended from time to time, and includes demolition, construction, and land clearing debris.

Cardboard: Corrugated boxes and similar corrugated and kraft paper materials which have a minimum of contamination by food and other materials.

Clean Wood: Used pallets, cable spools, other manufactured products or unpainted wood or unfinished wood, tree limbs, and trunks.

Collector: Any person hiring out to collect garbage and recyclable materials from residential, business, commercial or other establishments.

Glass Food Container: Any glass bottle or jar of any size or shape used to package food or beverage products for human or animal consumption.

Leaves: The foliage of trees, bushes, and other plants, with a minimum of contamination by rocks, sticks or branches, and pesticides.

Metal Food Container: Any aluminum, steel, tin-plated steel or other metallic can, food plate or tray of any size or shape used to package food or beverage products suitable for human or animal consumption, including clean aluminum foil.

Newspapers: Any used or discarded newsprint which has a minimum of contamination by food and other materials. The only gloss-printed paperstock in this category is the color print inserts commonly found in Sunday editions.

Office Paper: Any used or discarded high grade white paper, computer printout, manila cardstock, or photocopying paper which is suitable for recycling, and has a minimum of contamination.

Special Wastes: Non-hazardous commercial and industrial wastes which, by virtue of their properties and/or volume, require special handling.

Tree Stumps: The base and roots of trees, free of rocks and soil.

Recyclables: Any items, commonly regarded as wastes, which are designated by Connecticut General Statutes, regulations of the Department of Environmental Protection, this ordinance or by the Board of Selectmen to be presorted for separate handling and delivery to the scrap materials market.

Scrap Metal: Used or discarded items which consist predominantly of ferrous alloys, aluminum, brass, copper, lead, chromium, tin, nickel or alloys thereof, including, but not limited to, white goods (i.e., refrigerators, stoves, etc.), and excluding metal food containers.

Scrap Tires: Discarded rubber or synthetic rubber tires used by or manufactured for vehicles, including, but not limited to, automobiles, trucks, buses, and trailers.

Storage Batteries: Lead acid batteries such as those used in motor vehicles, airplanes, boats, recreational vehicles, tractors, and like appliances.

Transfer Station: The Town's solid waste transfer facility, area, or areas as designated by the Board of Selectmen.

Waste Oil: Crankcase oil that has been utilized in internal combustion engines.

II. RECYCLABLE MATERIALS.

The list of materials regarded as recyclable is as follows: Cardboard, glass containers, leaves, metal containers, newspapers, office paper, scrap metal, storage batteries, and waste oil. The Town will coordinate the transportation and final disposition of recyclable materials with waste and material haulers, and with materials processors and markets.

III. RESIDENTIAL RECYCLING.

Curb-side pick-up of recyclable materials by collectors will be at the residents' expense. Each residential user shall separate recyclables from other solid waste and cause removal of the recyclables as follows:

A. Mixed glass and metal containers shall be rinsed and combined for curb-side pick-up by a collector or taken to the transfer station and placed in the proper container.

B. Newspapers shall be string-tied in bundles or placed in brown paper grocery bags for curb-side pick-up by a collector or taken to the transfer station and placed in the proper container.

C. Cardboard shall be flattened, taken to the transfer station, and placed in the proper container until such time as curb-side opportunities become available.

D. Waste oil shall be taken to a storage container at the transfer station.

E. Scrap metal shall be taken to the transfer station.

F. Storage batteries shall be taken to a drop-off point at the transfer station.

G. Leaves shall be composted at individual residences when possible. The Town will maintain a leaf composting area at the transfer station.

IV. COMMERCIAL/INDUSTRIAL RECYCLING.

Commercial, industrial, business, and non-residential users, except those listed in Part V of this ordinance, shall make provision for the separation, collection, and recycling of recyclable materials as follows:

A. Mixed glass and metal containers shall be rinsed and combined for commercial pick-up or disposed of at the transfer station in the proper container.

B. Newspapers shall be presorted for commercial pick-up or placed in the proper container at the transfer station.

C. Office paper shall be presorted and recycled commercially.

D. Cardboard shall be flattened, stacked, and presorted for separate handling and transport by a collector.

E. Private businesses, including garages, dealerships, and junkyards, shall make their own provisions for the storage and disposal of waste oil.

F. Private businesses, including those that deal in appliances and dispose of them on a regular basis, shall make their own provisions for the disposal of scrap metals or may be charged a user fee for disposal at the transfer station.

G. Private businesses, including garages, junkyards, and dealerships, shall make their own provisions for the proper disposal of discarded storage batteries or may be charged a user fee for disposal at the transfer station.

H. Private businesses, including those that provide lawn care, shall make their own provisions for the composting of leaves or may be charged a user fee for disposal at the transfer station.

V. GOVERNMENTAL AND NON-PROFIT AGENCY RECYCLING.

Governmental and non-profit agencies shall make provisions for the separation, collection, and recycling of recyclable materials as follows:

A. Mixed glass and metal containers shall be rinsed and combined for commercial pick-up or disposed of at the transfer station in the proper container.

B. Newspapers shall be presorted for commercial pick-up or placed in the proper container at the transfer station.

C. Office paper shall be presorted and recycled commercially by those agencies which produce significant quantities of this material.

D. Cardboard shall be flattened, stacked and presorted for separate handling, and transported by a collector.

E. Each agency shall make its own provisions for the disposal of waste oil or may be charged a user fee for disposal at the transfer station.

F. Each agency shall make its own provisions for the disposal of scrap metal or may be charged a user fee for disposal at the transfer station.

G. Each agency shall make its own provisions for the disposal of storage batteries or may be charged a user fee for disposal at the transfer station.

H. Each agency shall make its own provisions for the composting of leaves or may be charged a user fee for disposal at the transfer station.

VI. OTHER WASTE.

A. Bulky Wastes:

1. Demolition Debris: The Town will provide containers at the transfer station for the disposal of up to six yards per vehicle of demolition debris. Maximum size truck allowed in the transfer station will be six cubic yards.

2. Stumps, Brush, and Clean Wood: The Town will provide a drop-off area at the transfer station for the disposal of stumps, brush, and clean wood materials.

3. Furniture: The Town will supply a drop-off area for disposal of furniture for residents.

B. Special Wastes:

1. Tires: The Town will supply a container at the transfer station for the disposal of tires for use by residents. Private businesses, including garages, dealerships, and junkyards, shall make their own provisions for the disposal of scrap tires.

VII. DUTIES OF COLLECTORS.

A. All collectors serving residential properties where solid waste is collected from individual households at the curb must offer separate curbside collection of newspapers and of comingled bottles and cans. All collectors serving residential properties where solid waste is placed in dumpsters must offer separate dumpsters or containers for newspapers and for comingled bottles and cans. No collector shall mix previously separated recyclable materials with each other or with other solid waste. No collector shall knowingly collect recyclable material if it is mixed with other solid waste.

B. All collectors of recyclables shall transport those materials to a transfer area, processing center, or marked as may be designated by the Board of Selectmen.

C. All garbage collected or transported within the Town of Haddam shall be carried in watertight covered vehicles or in watertight covered containers in or on said vehicles. All other solid waste and recyclable material collected or transported in the Town of Haddam in open top vehicles shall be covered in a suitable manner as determined by the Board of Selectmen so as to prevent the scattering of these materials within the Town.

D. All collector's vehicles utilized for the collection and/or transportation of solid waste and/or recyclable materials from persons in the Town of Haddam shall be licensed by the Town of Haddam.

E. If a collector has reason to suspect that any person has violated the separation requirements of this ordinance, said collector, within one business day, shall notify the Board of Selectmen of the suspected violation. When

directed to do so by the Board of Selectmen, a collector shall issue a warning notice in a form provided by the Board of Selectmen, to any customer of said collector suspected of violating the separation requirements of this ordinance.

F. The door of any vehicle used by a collector to haul solid waste shall be clearly marked with the business name and address of the collector.

VIII. LICENSE REQUIRED FOR COLLECTORS

A. All persons engaged in the business of collection or disposal of solid waste and recyclable materials within the Town of Haddam shall obtain a license from the Board of Selectmen. A license is required for each person engaged in collection.

B. All licenses shall be for a period of one year from July 1, or other date in event of a partial year, to the following June 30. The license fee shall be set by the Board of Selectmen and shall be paid in advance with the application. The application shall be made on a form prescribed by the Board of Selectmen.

C. The license is not transferable and no licensee shall permit another person engaged in the business of collection or disposal of solid waste, other than the licensee's own agents and employees, to operate under said license.

D. If the Board of Selectmen determine there is reason to revoke the license of any collector, the Board shall notify such collector, by certified mail, of the Board's intent to revoke such license. Within seven days of the receipt of said notification, such collector may apply to the Board of Selectmen for a hearing to show cause why the proposed revocation of license shall not become final. If no application is made for a hearing, the intent to revoke a license there under shall become final ten days after the mailing by certified mail of said notice of intent to revoke.

IX. FEES FOR DISPOSAL.

The Board of Selectmen shall have authority to establish a fee payable to the Town for the receipt and handling of any recyclable material pursuant to this ordinance.

X. ENFORCEMENT.

A. From the enactment of this ordinance, there will be a thirty day period of public education and information provided by the Town. Those not separating recyclables will be notified: verbally; in writing; or by personal meeting with a Town representative.

B. Following this thirty day period, unsorted waste from any waste generator or any collector will not be accepted at the transfer station or at any other disposal facility contracted by the Town.

C. Transfer station personnel shall report violations of this ordinance and regulations thereunder to the Board of Selectmen and recommend the assessment of fines. Violators shall also be responsible for any additional costs incurred by the Town.

D. Individuals and private businesses delivering their own waste to the transfer station will place recyclable materials in containers or at specified drop-off points provided. Failure to do so will constitute a violation of this ordinance.

XI. PENALTIES.

It shall be the responsibility of the Board of Selectmen or its agents to enforce the provisions of this ordinance. In accordance with Public Act 90-220 and Public Act 90-249, any person, firm or corporation in violation of any provision of this ordinance, including rules and regulations established hereunder, shall be subject to fine as follows:

A. Any resident or occupant of a residential or non-residential building who fails to source separate designated recyclables from other solid waste: for a first offense, a written warning; for subsequent offenses, a fine not to exceed \$100.00 for each violation.

B. The owner of any commercial or not-residential establishment that fails to provide for separation of recyclables from other solid waste: for a first offense, a written warning; for a second offense, a fine not to exceed \$100.00; for subsequent offenses, a fine not to exceed \$500.00 for each violation.

C. Any collector who knowingly mixes items designated for recycling pursuant to this section with other solid waste shall, for a first violation, be liable for a civil penalty of \$1,000.00 for each violation, and \$5,000.00 for a subsequent violation, pursuant to Section 22a-220a(f), Connecticut General Statutes.

D. Notwithstanding the foregoing, the license of any collector may be suspended or revoked for any violation or continuing violation of the provisions of this ordinance or any of the rules and regulations enacted hereunder.

XII. REGULATIONS.

The Board of Selectmen are authorized to issue reasonable regulations as needed to effect the provisions of this ordinance, including, but not limited to, specifications for preparation, separation, and collection of designated recyclables; the definition and addition of new designated recyclables; locations for drop-off containers for waste oil, storage batteries, and corrugated cardboard; specifications for a corrugated cardboard collection program; collection specifications for leaves, yard waste, and lawn clippings; reporting requirements; requirements for warning notices, notices of violation, and penalties for failure to provide for the separation of designated recyclables, failure to comply with separation requirements, and for knowingly mixing designated recyclables; and other penalties for failing to comply with mandatory requirements. Regulations enacted affecting collectors shall not become effective until a thirty day comment period has expired.

XIII. PROHIBITION OF UNAUTHORIZED COLLECTION OF RECYCLABLES.

From time of placement at the curb or elsewhere for collection, all designated recyclable materials shall become the property of the Town of Haddam. It shall be a violation of this ordinance for any person not authorized by the Town of Haddam to collect or pick up, or cause to be collected or picked up, any designated recyclables.