

SOLID WASTE FACILITY ORDINANCE

for

**HINSDALE,
NEW HAMPSHIRE**



Revised 4/3/96
Revised 7/20/98
Revised 7/30/01
Revised 6/24/02
Revised 5/3/04
Revised 5/14/07
Revised 5/19/08

**TOWN OF HINSDALE
TRANSFER STATION
ORDINANCE**

The Town of Hinsdale hereby adopts the following ordinance for the operation of its public disposal facility to be known as the Hinsdale Solid Waste Facility (hereinafter referred to as the "facility" or "SWF").

POLICY STATEMENT

It is the policy of the Town of Hinsdale to conserve financial and environmental resources through waste reduction and recycling. Furthermore, it is the policy of the Town to allocate certain waste collection and disposal costs based on the volume produced by individual generators while providing Town sponsored recycling services for the recyclable portion of the waste stream.

It is the policy of the Board of Selectmen to seek creative and equitable ways of funding the Transfer Station through other avenues than tax dollars.

ACCESS TO FACILITY

The facility will only accept waste, which has been generated within the Town of Hinsdale. It will be the responsibility of the person or corporation disposing of the waste to provide the attendant with proof that the material was generated within Hinsdale. Any waste being delivered in a vehicle that has a Commercial Hauler Sticker (see below) will provide the attendant with a list of the names of the owners of each of the properties from which the waste came.

The facility will receive waste only from those who can provide proper proof of authorization from the Hinsdale Board of Selectmen.

PERMITS REQUIRED

Admission to the Solid Waste Facility will be by permit only.

- A **AFFIXED PERMITS.** Upon receipt of a completed permit application, which requires proof of residency or property ownership, the Town of Hinsdale will issue a one-year numbered permit. The cost of the permit shall be \$5.00, or as determined by the Board of Selectmen.

Each permit is for a specific vehicle and is nontransferable. The following regulations pertain to the SWF permit

- (1) There shall be no charge for a replacement sticker if a vehicle is replaced, provided a substantial portion of the prior sticker and its number is presented to the town hall;
- (2) The sticker shall be affixed to the vehicle on the passenger's side, inside bottom of the window and be clearly visible to the Facility attendant; and
- (3) Permits issued by the town of Hinsdale will be valid until the expiration date printed on the permit.

- B **TEMPORARY PERMITS.** Temporary permits will be issued by the Selectmen's Office upon presentation of the proper identification for persons:

- (1) Who are residents of Hinsdale but do not own a vehicle;

- (2) Who have an established non-construction type business within the geographical boundaries of Hinsdale but reside elsewhere; and
- (3) Who are residents of Hinsdale and are hiring and/or borrowing an out-of-town vehicle to haul debris to the SWF.

Temporary permits shall be issued in the form of a pass. The permit shall be for a specific vehicle and date, not to exceed a three (3) day period, as determined by the Board of Selectmen. Temporary permits shall be presented to the SWF attendant prior to admittance to the SWF.

The fee for a temporary permit shall be \$5.00, or as determined by the Board of Selectmen, and the permit is nontransferable.

- C. **COMMERCIAL HAULER PERMIT.** Commercial Haulers must obtain a permit sticker for each vehicle that is used by them to deposit any acceptable waste at the facility. These stickers can be obtained at the Selectmen's Office, the Town Clerk's Office or the Transfer Station. A commercial hauler shall mean any person or corporation that hauls any type of waste to the facility for a fee, or any person or corporation who hauls any waste that contains any commercial or industrial waste to the facility. These permits will be issued annually in July. The fee for a commercial hauler permit shall be \$10.00, or as determined by the Board of Selectmen, and the permit is nontransferable. Commercial waste haulers will be charged a fee of \$130.00 per ton subject to change by the Board of Selectmen. The waste must be placed in the area designated by the attendant.

HOURS OF OPERATION

The facility will be open to any valid permit holder during the normal hours of operation. These hours shall be posted at the Town Hall and at the Transfer Station.

The hours of operation of the Transfer Station are subject to change at the exclusive discretion of the Board of Selectmen.

PAY-PER-BAG INFORMATION

The Town has adopted a pay-per-bag program. The Town will sell specially marked bags designed for refuse collection and disposal. These bags will be sold to residents through various retail outlets throughout the Town and at the Town Hall. Bags will be sold at a price reflecting the actual cost of the bag and appropriate administrative costs associated with each bag with the balance to be deposited in the Landfill Station closure fund until such time as the Landfill closure is completed, in which time, the balance will go back to the general fund to offset the cost of transfer station operation and curbside service. Revenues collected by the Town from the sale of bags will be applied towards the cost of solid waste disposal.

The following guidelines shall apply to the users of the system:

1. Trash and recyclables will be accepted only during scheduled facility hours.
2. All trash shall be in designated Town of Hinsdale bags. No trash will be accepted if it is not in the required containers. The following rules apply specifically to the Town of Hinsdale bags:
 - a. **Weight Limits** - The weight of the 33-gallon bag shall not exceed 45 pounds. The weight of the 15-gallon bag shall not exceed 25 pounds. Any bags exceeding these weights will not be collected and shall be tagged by the contractor as to the reason they were not collected.

- b. Unauthorized containers - Trash set out in unauthorized containers will be rejected. Trash will only be collected if it is set out in the proper Town of Hinsdale bags.
- c. Open bags, littering - All bags are to be closed before they are set at curbside or brought to the Transfer Station. Littering caused by open bags is strictly prohibited. Open bags shall be rejected.
- d. Ripped bags - Ripped bags shall not be collected by the contractor. However ripped bags do cost money and the Town recognizes that accidents do happen. Therefore, any bag that has ripped may be rebagged in a clear bag that allows the staff to see the original authorized bag.

GENERAL INFORMATION

1. All trash and recyclables shall be placed at curbside or in designated areas of the facility.
2. Anyone using the facility shall observe all posted rules and procedures.
3. Anyone using the facility shall obey attendants and comply with their directions.
4. The driver of any vehicle losing material at the site in any area other than the designated areas whether it be by wind, unsecured load, vehicle problem or driver error shall be responsible for cleanup.
5. All vehicles and drivers entering the facility do so at their own risk and are liable for any and all damages they may cause the facility or personnel.
6. Permit stickers must be clearly visible and affixed to the vehicle to which they are registered before entering the facility. The stickers are to be placed on the passenger side window.
7. All vehicles must stop at the building and check with attendant before entering Transfer Station area.
8. The facility attendant shall have the right to refuse the use of the facility to any person, corporation, or other user who is misusing the facility or is in any way in violation of this ordinance.

RECYCLING

It is the policy of the Town of Hinsdale to encourage recycling. Curbside recycling services will be provided to all residential units including single-family homes, multi-family homes, mobile home parks, and elder care developments. A Town funded curbside recycling program will provide residents with an outlet for the recyclable portion of the waste stream.

Participation in the recycling program will lower the volume of trash placed in bags for collection. Fewer trash bags mean lower costs for each resident. This combination of programs will provide each resident with the opportunity and incentive to control waste disposal costs by participating in curbside recycling and waste reduction.

In order for the material to be considered as properly separated under this recycling option, the following categories of material must be removed from the household trash and placed at curbside or at the facility in the designated areas.

SEPARATION OF RECYCLABLES

- A. **CURBSIDE:** The following materials shall be placed in the “green box” unless otherwise specified.
1. **GLASS CONTAINERS.** Shall mean whole, empty, rinsed glass containers without lids, caps or stoppers. Labels do not have to be removed. (No ceramics, plates, window glass, light bulbs, etc.).
 2. **PET PLASTIC (TRANSPARENT).** Shall mean emptied, rinsed and flattened plastic soda bottles, all sizes, clear, green or translucent in color. Also, liquor, juice bottles, bottled water, cleaning agents, etc. They must be without caps and have the triangle and "1" symbol on the bottom. Labels and colored bases do not have to be removed.
 3. **HDPE PLASTIC (TRANSLUCENT).** Shall mean all emptied, rinsed and flattened plastic such as milk, cider and water jugs, dish detergent and rubbing alcohol containers, They must be without caps and have the triangle and "2" symbol on the bottom. Labels do not have to be removed.
 4. **ALUMINUM CANS.** Shall mean emptied, rinsed aluminum containers (e.g. soda and beer cans). Labels do not have to be removed.
 5. **STEEL (TIN) CANS.** Shall mean emptied, rinsed tin containers (e.g. vegetable, cat/dog food). Labels do not have to be removed.
 6. **NEWSPAPER.** Shall mean all folded, clean, dry newspaper, magazines, office paper, etc. Inserts acceptable. Newspaper shall be placed in a separate paper bag or tied into a bundle.
 7. **CORRUGATED CARDBOARD.** Shall mean all dry, uncoated, corrugated boxes and packing boxes and paper bags. Boxes must be flattened and bundled into an approximating size of 2 feet by 3 feet. NO coated, waxed or paper covered, greasy or soiled, gray colored boxes, cereal boxes, soda or beer boxes or Asian (yellow) cardboard.
 8. **MIXED OFFICE PAPER.** Shall mean junk mail, magazines, office paper and telephone books. Mixed office paper shall be placed in a separate paper bag from the newspaper. NO carbon paper, tissue paper, paper plates, food wrappers, cereal boxes, soda or beer boxes or paper clips.
- B. **AT THE FACILITY.** Materials shall be placed in areas designated by the SWF attendant.
1. **GLASS CONTAINERS.** Shall mean whole, empty, rinsed glass containers without lids, caps or stoppers. Labels do not have to be removed. (No ceramics, plates, window glass, light bulbs, etc.).
 2. **PET PLASTIC (TRANSPARENT).** Shall mean emptied, rinsed and flattened plastic soda bottles, all sizes, clear, green or translucent in color. Also, liquor, juice bottles, bottled water, cleaning agents, etc. They must be without caps and have the triangle and "1" symbol on the bottom. Labels and colored bases do not have to be removed.
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9. BATTERIES: Shall mean any dry or wet cell battery of any size. This includes, automobile, radio, and flashlight batteries.
10. WASTE OIL: Shall mean motor oil, hydraulic oil, kerosene, #2 heating oil and transmission fluid.
11. TIRES. Shall mean automobile, motorcycle, bicycle, tractor or truck tires removed from the wheel or rim.
12. METAL/SCRAP METAL.
 - (a) Shall mean all metal items free of rubber, wood, plastic or other contaminant.
 - (b) No items shall exceed ten (10) feet in length. Bulky items (e.g. swing sets) shall be dismantled.
 - (c) "Clean" metal items shall be deposited by type and kind as directed and include:
 - (i) Light iron (bed springs, sheet metal, bicycles, etc.);
 - (ii) White goods (refrigerators and other appliances). Doors shall be removed;
 - (iii) Cast iron (hot water boilers and cast iron tubs);
 - (iv) Aluminum (Siding, roofing and lawn chairs); and
 - (v) Brass and copper (plumbing, electrical and wiring);
 - (d) Whole junk cars and fuel storage tanks will not be accepted.
13. CHRISTMAS TREES. Christmas trees up to a five-inch (5") diameter at the base shall be accepted for the brush pile. Shall be free of any decoration.

14. **OTHER RECYCLABLE ITEMS.** Will be accepted based upon the then current policy of the Town. The town shall issue a list of all recyclable materials that will be accepted and the conditions upon which they will be accepted.

CURBSIDE PICKUP

- A. **DOMESTIC OR HOUSEHOLD WASTE.** The municipal collection program consists of a single weekly roadside collection from the Town of Hinsdale Pay-Per-Bag. The weight of the 33-gallon bag shall not exceed 45 pounds. The weight of the 15-gallon bag shall not exceed 25 pounds. Any bags exceeding these weights will not be collected and shall be tagged by the contractor as to the reason they were not collected. Only waste placed at the curb in securely tied, specially marked bags will be collected by the Town contracted collection and disposal vendor.

All other waste must be delivered to the Solid Waste Facility (SWF) by private means with a permit.

For the purpose of this ordinance, all apartment buildings that contain three or more units, will be considered commercial property and will not be eligible for curbside pickup of domestic or household waste, but will be eligible to participate in the recycling program.

- B. **RECYCLABLES.** The Town of Hinsdale shall supply each unit served by municipal refuse collection with one (1) "green box" specifically for recyclable materials. Materials to be placed in the "green box" will be determined by the Town and residents will be informed which recyclable materials will be accepted. Recyclables will be picked up on the regular household waste pickup days for each residential unit.
- C. **PICK UP.** Curbside pickup of domestic/household waste and recyclable is accomplished using two separate vehicles.

GUIDELINES

- A. **PLACING OUT AND BRINGING IN OF CONTAINER.** Collection begins at 7:00 AM. Waste is to be placed out curbside, or street side where normally the curbing would be in the Town of Hinsdale pay-per-bag by 7:00 AM on your scheduled pickup day. The Town will not be responsible for picking up waste deposited onto the ground (i.e., bag opened by animals, can knocked over, etc.) or to make return trips for containers that are placed out later than 7:00 AM.

Recyclables are to be placed out in the "Green Box" by 7:00 am on scheduled pickup day (same day as refuse collection).

All containers and "green boxes" are to be retrieved from the curb/street by 7:00 PM on the day of collection.

- B. **COLLECTION SCHEDULE.** The collection schedule shall be in effect at the passage of this Ordinance. The town reserves the right to change the collection schedule as needed to best fit the interests of the town.
- C. **OWNERSHIP OF RECYCLABLES.** Recyclable materials shall become the property of the Town of Hinsdale at the time such materials are placed by any person or organization into any town provided "green box". The removal of the Town provided "green box" and/or their contents by anyone other than agents of the Town, or a member or agent of the residential unit placing the materials into any recycling receptacle, shall be guilty of a violation and subject to a fine of up to \$100. Each unauthorized removal of a Town provided "green box," and/or their contents, shall constitute a separate offense under this ordinance.

- D. **OWNERSHIP OF THE "GREEN BOX".** The "green box" is the sole property of the Town of Hinsdale and is not to be removed from the residence. It will be replaced without charge should the box, through manufacturer's defect or normal "wear and tear", become unsuitable for use. Remains of the "green box" must be presented for credit. A deposit of \$10.00 will be assessed for each household, which requires additional "green boxes" or for each box lost, destroyed, stolen, etc.
- E. **ITEMS NOT COLLECTED DURING WEEKLY REFUSE AND RECYCLING ROUTES.**
These items shall include, but are not limited to, the following:
- (1) Fireplace ash;
 - (2) Waste oil;
 - (3) Antifreeze;
 - (4) Building demolition material;
 - (5) Tires;
 - (6) Scrap metal items;
 - (7) Leaves, yard waste, brush;
 - (8) Bulky waste; and
 - (9) Rocks, dirt, sand, asphalt, etc.
- F. **WINTER OPERATION.** Normally material will be collected even during inclement weather. Material for collection **MUST BE VISIBLE IN BOTH DIRECTIONS AND ACCESSIBLE FROM THE ROAD.**

COMMERCIAL OR INDUSTRIAL WASTE

Any acceptable waste which is generated by commercial or industrial facilities within the Town and which does not contain materials found on the above list of recyclables, will be charged a fee of \$130.00 PER TON to dump at the facility. The fee is subject to change by the Board of Selectmen.

SPECIAL WASTE FEES

Due to the extra costs associated with the processing or removal of certain categories of items, special fees will be assessed. The list of items and the current fees charges can be found in addendum A and are subject to change at the sole discretion of the Board of Selectmen.

UNACCEPTABLE MATERIALS

The following materials will not be accepted at the SWF.

- A. **ASBESTOS MATERIALS/PRODUCTS** - Asbestos siding, floor tile, pipe insulation, fire resistant board, etc.
- B. **INFECTIOUS WASTE.** Wound and skin isolation wastes, pathology wastes, laboratory wastes and animal carcasses, etc.
- C. **HOUSEHOLD HAZARDOUS WASTES.** Generally those common products which:
 - (1) Burn easily (kerosene, gasoline, turpentine and other solvents);
 - (2) Can cause explosion (gun powder, etc.)
 - (3) Are corrosive - can erode metal (drain and oven cleaners, battery acid, metal polish); and

- (4) Are toxic - can be harmful or fatal to organisms and plants (anti-freeze, pool chemicals, paints, insect sprays, weed killers, etc.).
- D. **SLUDGE OR SEPTIC WASTE.** Sludge from septic tanks or earth materials from spent leach fields, etc.
- E. **ASH RESIDUE.** From incinerators or waste to energy facilities.
- F. **OTHER.** Any material which, in the opinion of the SWF attendant and the Town of Hinsdale, constitutes a serious hazard to other users of the SWF, to the property of the Town, to adjacent property, to water sources, to the operation of the SWF or is prohibited by Federal or State statute.

The town has, contingent upon an affirmative vote of the town meeting, provided at least two household hazardous waste collection days per year and will continue to so at the pleasure of the voters to dispose of the materials listed above.

FEES

All fees for the use of the facility shall be paid to the Transfer Station attendant.

Commercial haulers may set up an account to pay their fees at the end of each month or at the end of a specific project. The tonnage of materials will be recorded at the facility and a statement will be sent. Failure to pay within thirty (30) days will result in loss of this privilege. In addition, any payment made after the initial 30 days is subject to a one and one-half percent (1 ½%) interest charge per month. An account of this type is to be approved, in advance, by the Board of Selectmen and they have the right to set reasonable rules and regulations for the opening and maintenance of these accounts.

Any checks, which are returned to the Town due to non-sufficient funds, will result in the loss of the right to use the facility by any person or corporation whose name appears on the check. The signer of any check returned for non-sufficient funds will be assessed any costs incurred by the Town as a result of receiving such a check. Final determination of the penalty and charges in such cases will rest with the Board of Selectmen.

DUMPSTER ABUSE / ILLEGAL DUMPING

Residents and businesses that have dumpsters will be subject to illegal use of these dumpsters by residents trying to avoid purchasing bags. The responsibility for protecting dumpsters from unauthorized use rests with the business or resident that rents the dumpster. Unauthorized use of a dumpster should be reported as a theft of services to the Police Department. Dumpsters can be locked during non-business hours and access can be limited to authorized personnel only.

Illegal dumping is prohibited in all areas of town. The town will take all necessary steps to enforce all applicable penalties and fines on any persons found guilty of illegal dumping. The Town expects a small amount of illegal dumping annually. The cost of cleaning up any incidence of illegal dumping is included in the budget. The Selectmen are prepared to respond to complaints of illegal dumping with the following procedure:

1. The police will be called to investigate. They will:
 - a. Attempt to identify the generator. If the police determine the origin of the waste they will have the generator collect the waste for proper disposal. The generator will be billed for the cost of collecting and disposing of the waste and charged with violation of all applicable laws.
 - b. If the source of the waste is not immediately identifiable, town crews will then be

dispatched to collect the illegally dumped waste.

- c. If the source of the waste is eventually identified, the generator will be billed for the cost of collecting and disposing of the waste and charged with violation of all applicable laws.

CLOSED AND OPEN BURNING

No person, firm, corporation, or association shall ignite, maintain or allow ignition or maintenance of the burning of waste and/or construction & demolition debris (C&D). No backyard burning of combustible domestic (household) rubbish is allowed. Burning rubbish, waste, and/or C&D in burn barrels or solid fuel appliances is prohibited at all times and in all areas of the town.

PENALTIES

Any person or corporation attempting to use the facility without proper authorization, depositing material not generated within the Town of Hinsdale, or in any way violating this ordinance may be cited by the Hinsdale Police Department to the District Court and be assessed a fine not to exceed \$100.00 for each offense.

DEFINITIONS

BAGS - Specially marked bags designed for refuse as approved by the Town of Hinsdale Board of Selectmen, sold by the Town through various commercial / retail outlets throughout the Town. Bags must be tied and cannot exceed 45 lbs. in weight.

BULKY WASTE - A large item, piece of furniture or waste material from a residential source other than construction debris or hazardous waste, with a weight or volume greater than that allowed for containers.

CONSTRUCTION & DEMOLITION (C&D) DEBRIS - Waste-building materials resulting from construction, remodeling, repair or demolition operations to include but not limited to any discarded treated or painted wood such as plywood, composite wood products or other wood products that are painted, varnished or treated with preservatives, paint or painted materials, furniture, composite shingles. Any plastic material including but not limited to nylon, PVC, ABS, polystyrene or urethane foam, and synthetic fabrics, plastic films, and plastic containers. Rubber including tires and synthetic rubber-like products.

CONTRACTOR - The individual, firm, partnership, joint venture, corporation or association performing refuse collection and disposal and/or recyclable collection and processing under contract with the Town.

DUMPSTERS - A commercially designed large metal container for refuse that has a closing top lid(s) and/or side slide doors.

TAGS - Specially marked adhesive tags as approved by the Town of Hinsdale Board of Selectmen designed to be adhered to unacceptable and uncollectable trash containers.

WASTE - Any non-recyclable material which has no other disposal option outlined in this Master plan and is to be disposed of in the Transfer Station.

YARD WASTE - Any soft vegetable material such as grass clippings, pine needles, leaves and plant stalks and any brush up to 5 inches in diameter.

Addendum A**SPECIAL WASTE FEES**

Due to the extra costs associated with the processing or removal of certain categories of items, the following special fees will be assessed:

1.	Car and light truck tires up to 16" (per tire, off rims)	\$ 3.00
	w/rims	7.00
2.	Truck tires 16" - 24" (per tire, off rims)	8.00
3.	Heavy equipment tires over 24" (per tire, off rims)	disposal fee plus 5.00
4.	Air Conditioners, Refrigerators, Freezers (per item)	15.00
5.	Appliances or large metal objects (per item)	10.00
6.	Demolition materials or metals (per pick-up)	150.00 per ton
7.	Demolition materials or metals (per dump truck)	150.00 per ton
8.	Propane Tanks (30 lbs or smaller)	5.00
9.	Propane Tanks (over 30 lbs.)	10.00
10.	Mattresses/Box Springs/Sofas/Chairs	15.00
11.	Computers (Tower, Monitor, & Keyboard)	10.00
	or \$5.00 per item	
12.	Printer	5.00
13.	Television	
	12" TV (20 lbs)	5.00
	19" TV (70 lbs)	15.00
	27" TV (90 lbs)	20.00
14.	Console Television	20.00
15.	Microwave	10.00