

(2e-91) AN ORDINANCE RELATING TO SOLID WASTE DISPOSAL AND LITTER

Pursuant to the provisions of RSA 31, 41, 147, 149-M, 163-B, and any or all other applicable statutes annotated, the Board of Selectmen of the Town of Stratham enact the following Town Ordinance:

In the interest of promoting and insuring the public health and safety and general welfare of all the citizens of Stratham and other individuals who may frequent the Town of Stratham and;

To allow the Town of Stratham to meet its responsibilities to provide and operate a solid waste disposal facility and;

To insure the proper disposal of solid waste material generated by the residents of Stratham and;

It serves a legitimate public purpose to regulate the disposal of solid wastes within the Town of Stratham and therefore the following regulations shall apply:

- 1) **LANDFILL PERMITS** No individual shall be permitted to dispose of any material at nor gain access to the Town's solid waste facility without possessing and displaying a valid Stratham Landfill permit sticker. Such permits will be issued only to Stratham residents and shall be displayed on a vehicle registered within the Town of Stratham.
- 2) **TEMPORARY LANDFILL PERMITS** Temporary Landfill Permits may be issued to residents of Stratham who may use a vehicle not registered within the Town of Stratham. Such permits will only be issued for a date certain and will only be valid for a specified date, person, and vehicle. Individuals receiving a temporary permit will have to certify the material being disposed originates and/or was generated within the Town of Stratham.
- 3) **ACCESS** The Town's solid waste disposal facility will be open a minimum of once per week during the months from April to November and twice per month in the months December to March during hours set by the Board of Selectmen which will allow the residents of Stratham reasonable access to the facility. Such hours and days of operation will be clearly posted at the entrance to the facility. It shall be unlawful for anyone other than authorized Town personnel to access the facility or dispose of material at the facility except during the posted hours and days of operation unless expressly authorized by the Board of Selectmen.
- 4) **IMPROPER DISPOSAL** Disposal or depositing of any solid waste material or litter except at the Town's solid waste facility, or within an appropriate container intended for the immediate pickup by a licensed solid waste handler, or at a private solid waste facility licensed and/or approved for operation within Stratham by the State of New Hampshire and/or the Town of Stratham; shall be prohibited within the town boundaries of Stratham.

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5) **PROHIBITED ITEMS** The following items are not allowed to be disposed of at the Stratham solid waste facility. They are but not limited to:

Aerosol cans/containers	Ammunition
Animal remains	Asbestos in any form
Batteries & their components or pieces	Explosives
Gasoline	Hazardous wastes to include solvents, acids, antifreeze, or preservatives
Household trash/garbage	Septage of any type or related items
Insecticides +/- or their containers	Radioactive/medical wastes
Paints/chemicals including their containers	Vehicles +/- or their component parts
Large Propane Cylinders (over 20#)	Used oil filters
Tires	

This list is not meant to be all-inclusive. Any material deemed inappropriate for disposal at the facility by the facility attendant will not be accepted pending appeal to the Highway Agent or Board of Selectmen.

6) **DISPOSAL FEES** The following fee schedule shall apply to items disposed at the Stratham solid waste facility with a minimum fee of \$5.00:

Items containing <u>refrigerants</u> such as but not limited to chlorofluorocarbons (CFCs), Freon, etc.: (air conditioners, refrigerators, freezers, dehumidifiers, etc.)	\$20.00/item
Heavy bulky items: (White goods, dryers, washing machines, stoves/ovens, water heaters/furnaces, misc. heavy appliances, large furniture, sofas, riding mowers, large TV's 20" and over, etc.)	\$15.00/item
Light bulky items: (mattresses, small furniture, large plastic items, humidifiers, complete computers systems (CPU with monitor), etc.)	\$10.00/item
Misc. bulky items: (exhaust system parts, push lawn mowers, BBQ grills, clean empty containers, bicycles, small plastic items, microwaves, VCR's, small TV's under 20", individual computer components, etc.)	\$5.00/item
LP Tanks: 20# cylinders / tanks for gas grills	\$5.00/cylinder
1# cylinders / tanks (Coleman grill/torches)	\$2.00/cylinder
Misc. loose items: (Fees for heavy loads containing sheet rock, roofing shingles, and/or tar shingle siding and other such heavy materials are subject to doubling at the discretion of the attendant.)	

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1/2 to 3/4 ton pickup trucks	
6 foot bed (level)	\$25.00/load
(rounded)	\$30.00/load
8 foot bed (level)	\$30.00/load
(rounded)	\$35.00/load
1-ton pickup trucks with rack/dump bodies	\$50.00/load
Utility trailers (4' X 4')	\$15.00/load
Station wagons/passenger vans	\$5.00 to \$30.00/load
Wood/brush less than 5 inches in diameter, leaves, yard clippings, etc. (composted/chipped)	No Charge

Items shall be deposited on-site at the direction of the attendant who will collect the stated fee before the off-loading of any material. All items must have originated from a Stratham residence. No items resulting from commercial activities will be accepted. Any item not on the above list will be charged based on a review by the facility attendant pending appeal to the Highway Agent or Board of Selectmen. Metals must be separated from non-metals. Appliances will have their doors removed.

7) PAYMENT OF PERMIT AND DISPOSAL FEES Landfill permits (regular/temporary) will be available at the Town Office during normal business hours and will cost \$5.00 each. Regular permits will also be available at the solid waste facility. Regular permits shall be valid for a specified 2-year period. Applicants will provide the vehicle registration number on which the permit will be displayed. Replacement regular permits will be provided at no cost if the applicant can present to the Town a substantial portion of the previous permit. No proration of the permit fee will be allowed during the permit period. Payment of disposal fees by cash or check at the time of disposal shall be made at the solid waste facility. The attendant shall issue a receipt stating the item deposited at the facility on that date and the accompanying fee along with the permit number under which disposal is occurring.

8) PENALTIES Any person found violating any provision of this ordinance by any court of competent jurisdiction shall be guilty of a violation and shall be fined not less than \$100.00 and/or be subject to a civil penalty up to a maximum of \$3,000.00 per violation. A separate violation shall be deemed committed upon each day, or part thereof, during which a violation occurs or continues to occur. In addition, any individual so convicted shall be ordered to remove and properly dispose of any material inappropriately deposited or pay all costs of same to the Town of Stratham.

9) SEVERABILITY If any portion or provision of this ordinance shall be held to be invalid or unconstitutional by any court of competent jurisdiction, such a ruling shall not affect, impair, or invalidate any other portion or provision of this ordinance.

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This ordinance shall become effective upon the affirmative vote to adopt by the Board of Selectmen after having two readings. Once so adopted, this ordinance shall be governed, controlled and enforced, in part and in whole, in accordance with the articles of the Code of Ordinances for the Town of Stratham and shall remain in effect until expressly revoked or amended by act of the Board of Selectmen or by a warrant article approved at Town Meeting.

First Reading: March 5, 2007

Second Reading: March 12, 2007

Witness our hands and seal to be effective and adopted this ____ day of _____ 20 ____.

Board of Selectmen,
Stratham, New Hampshire

Kirk Scamman

Martin Wool

David Short

This is to certify that on the ____ day of _____ 20 ____ at _____ the above ordinance was filed and recorded with the records of the Town Clerk of the Town of Stratham, New Hampshire.

Witness my hand _____
Shirley Daley, Town Clerk

Filed as Ordinance 2e-91

\\Stratham-sbs\datafiles\Administration\Ordinances\Solid Waste & Litter\Solid Waste & Litter Ordinance #2e-91.DOC

SUMMER HOURS: APRIL—NOVEMBER, EVERY SATURDAY, 9 AM TO 4 PM

WINTER HOURS: DECEMBER—MARCH, 1ST & 3RD SATURDAYS OF THE MONTH, 9 AM TO 4 PM

Ordinance 2e-91: An Act Relating to Solid Waste Disposal and Litter (Excerpted)

PROHIBITED ITEMS The following items are not allowed to be disposed of at the Stratham solid waste facility. They are but not limited to:

Aerosol cans/containers	Hazardous wastes to include	Lrg. Propane Cylinders (over 20#)
Ammunition	solvents, acids, antifreeze, or	Radioactive/medical wastes
Animal remains	preservatives	Septage of any type or related items
Asbestos in any form	Household trash/garbage	Tires
Batteries & their components or pieces	Insecticides +/- their containers	Used oil filters
Explosives	Paints/chemicals including their	Vehicles +/- their component parts
Gasoline	containers.	Commercially generated materials

This list is not meant to be all-inclusive. Any material deemed inappropriate for disposal at the facility by the facility attendant will not be accepted pending appeal to the Highway Agent or Board of Selectmen.

DISPOSAL FEES The following fee schedule shall apply to items disposed at the Stratham solid waste facility with a minimum fee of \$5.00:

Bulky items containing <u>refrigerants</u> such as but not limited to chlorofluorocarbons (CFCs), Freon, etc.: (air conditioners, refrigerators, freezers, dehumidifiers, etc.)	\$20.00/item
Heavy bulky items: (White goods, dryers, washing machines, stoves/ovens, water heaters/furnaces, misc. heavy appliances, large furniture, sofas, riding mowers, large TV's 20" and over, etc.)	\$15.00/item
Light bulky items: (mattresses, small furniture, large plastic items, humidifiers, complete computers systems (CPU w/monitor), etc.)	\$10.00/item
Misc. bulky items: (exhaust system parts, push lawn mowers, small plastic items, BBQ grills, clean empty containers, bicycles, microwaves, VCR's, small TV's under 20", individual computer components, etc.)	\$5.00/item
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Station wagons/passenger vans	\$5.00 to \$30.00/load
Wood/brush less than 5 inches in diameter, leaves, yard clippings, etc. (composted/chipped)	No Charge

DISPOSAL FEES ARE PAYABLE TO THE TRANSFER STATION ATTENDANT AT THE TIME OF DISPOSAL.