

TOWN OF PHILLIPS

SOLID WASTE CONTROL ORDINANCE

This ordinance shall be known and be cited as the "Solid Waste Disposal Ordinance of the Town of Phillips, Maine."

Section 1: Purpose and Authority

1. Declaration of Policy. This ordinance is designed to control the disposal and reuse and recycling of solid waste material in the Town of Phillips by providing for the establishment and enforcement of rules and establishing limitations and prohibitions to protect the health, safety and welfare of the citizens of Phillips and to protect the environment and natural resources of the Town.
2. Authority of this Ordinance is Maine Revised Statutes Annotated Title 38 Section 1305.

Section 2. Rules for Governing Solid Waste Management.

1. The Board of Selectmen is hereby granted to establish, after public hearing, and amend operating rules for all municipal waste collection, transfer reuse, recycling and disposal systems and facilities. The Rules shall be reviewed and revised as required to satisfy the needs of the Municipality, State and Federal laws and regulations. The Rules shall include the operating hours of the facility. No person shall use the facility outside of the set hours of operation. Rules shall be displayed at the Municipality's Solid Waste Facility and Town Office.
2. The Operations Manual for the Solid Waste Facility shall be part of the rules.

Section 3. Permits Required.

1. The Phillips Solid Waste Facility is operated for the benefit of Phillips residents, property owners and commercial establishments having operating facilities on property within the Town, also for residents and commercial establishments of Avon and Madrid Township as long as they have an agreement with the Town. Admission to the facility will be by permit only. Permits will be issued, upon application, to the Town Manager. Fees for permits shall be determined by Rules adopted pursuant to this Ordinance.
2. Permits **must be** displayed on vehicles to gain access to the facility.
3. Commercial Haulers/Businesses.
 - a. Trucks with capacity of less than 6 cubic yards, un-compacted, with proper covering to secure the load, may use the facility for the deposition of solid waste generated by Phillips, Avon, and Madrid residents and businesses. Haulers must obtain a permit for each vehicle.
 - b. The Board of Selectmen may require such other information from haulers as is necessary to insure compliance with this ordinance.

4. Permits may be revoked by the Board of Selectmen following notice and hearing for violation of the Ordinance or rules. Permits shall be renewed annually before May 1st.
5. Deposition of trash at locations, sites or areas within the Municipality which have not been designated as an acceptable facility or site by the board of Selectmen is a violation of this Ordinance.

Section 5. Use of Facility Authority

The use of the facility by any person shall be at the strict direction of the Attendant. NO person shall violate any directives of the Attendant or Rules set forth by the Board of Selectmen in the use of the facility. If any person refuses to obey any of the directives or Rules, the Attendant shall have the authority to refuse access to the facility to that person until the person complies with the directives or Rules or until the Board of Selectmen has had the opportunity to hear the complaints.

Section 6. Hazardous and Special Wastes PROHIBITED

1. Hazardous and Special Wastes are as designated by the Operations Manual which shall be a part of the Rules.
2. Hazardous and Special Wastes shall not be delivered, dumped or disposed at the Facility.
3. If any such waste is deposited at the Facility, the cleanup and all costs associated with proper disposal shall be by the person responsible for the deposition.
4. No Special Waste shall be delivered or dumped at the Facility.

Section 7. Other Prohibited Wastes.

1. Sewage treatment plant and septic tank sludge or residues.
2. Animal and agricultural waste such as manure and crop residues.
3. Improperly contained kitty litter or other granular materials.
4. Gasoline tanks including vehicle fuel tanks, pesticide containers, hazardous material containers, auto body parts and truck parts.
5. Dead animals or animal parts.
6. Motor vehicles.
7. Hazardous substance containers unless adequately cleaned and approved by the Attendant.
8. Large pressured containers (over one quart capacity.)
9. Liquid or viscous wastes.

Section 8. 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 9. Recycling required.

1. Solid wastes generated within the Town of Phillips and towns which have an agreement with the town of Phillips shall be separated into recyclables at a facility designated by the Board of Selectmen.
2. At a minimum, the following components will be separated:
 - a. Corrugated cardboard
 - b. Aluminum cans, plastic
 - c. Newsprint, mail and magazines
 - d. Universal Waste
3. The Board of Selectmen shall have the authority to designate additional recyclable components by Rule and current market availability.

Section 10. Waste Deposition.

1. Wastes will be deposited in appropriate areas as designated in the Operations Manual by signs on-site and by the Attendant. At a minimum, the following areas are provided for waste deposition.
 - a. Recycling area
 - b. Compactor
 - c. White goods storage area
 - d. Tire storage area.
 - e. Composting and brush
 - f. Universal Waste
 - g. OBW (Oversized Bulky Waste)
2. **Recyclables:** Recyclables shall be separated and handled according to rules.
3. **Compactor:** Household wastes. Kitty litter and other non-hazardous granular substances need to be secured in a container that prevents spillage from breaking open.
4. **White Goods/Metals:** White Goods shall be piled neatly at the storage area designated and directed to by attendant on duty. Doors on refrigerators and freezers shall be removed prior to placement on site. Charges apply for Freon removal in fridges, freezers, air conditioners and dehumidifiers. Products shall be further segregated within the storage area as designated by signs or attendants direction.
5. **Tires:** Tires shall be piled neatly only at the storage area designated for such after proper payment to the attendant on duty. Wheel rims **must** be removed from all tires prior to placement on-site.
6. **Composting and brush:** Brush needs to be non-thorn bearing with a diameter at the base less than 3 inches and placed in a uniform, conforming manner for ease of access for chipping. No lumber or other material allowed. An attendant must direct to the appropriate site. Composting is clean, non-hazardous organic material and may be disposed of at the appropriate site directed by the attendant on duty.

7. **Universal Waste:** TVs, Monitors, computers and peripherals, fluorescent bulbs among other items designated as universal waste are to be identified by the attendant and processed for applicable fees and then disposed of at the area directed by the attendant on site.

Section 11: Fees

The Board of Selectmen shall establish fees by Rule for the deposition of:

1. White Goods/and/or appliances, furniture and televisions and electronics*
2. Other metals (no fee at present)
3. Automobile, truck and skidder tires (removed from rims) *
4. small loads of construction debris*

*see current pricing schedule

Section 12. Violations, Enforcement and Penalties.

1. The Selectman with the aid of the Franklin County Sheriff's Department and/or the State Police shall enforce this Ordinance.
2. Any person convicted of a violation of this Ordinance or rules adopted pursuant hereto shall be subject to a fine up to \$500.00 for each occurrence.
3. The person so convicted shall also be liable for legal expenses incurred by the Town as well as costs to correct the violation.

Section 13: Validity and Conflict of Ordinances

1. If any section, subsection, paragraph, sentence phrase or word of this Ordinance is found to be invalid, unconstitutional or inapplicable, it shall not affect or impair the remaining provisions of this Ordinance.
2. If this Ordinance conflicts with other town ordinances, then the strictest provisions shall apply.
3. Provisions of federal and state laws and rules adopted pursuant thereto shall govern if such provisions are more stringent than the provisions of this Ordinance.

Section 14: Definitions

1. **Attendant:** The person employed by the Municipality to supervise the solid waste facility and operate any necessary equipment.
2. **Facility:** The Town of Phillips Solid Waste Facility.
3. **Hazardous Waste:** Shall include any material or waste which the Federal and/or State government has determined to be hazardous and which is placed at the curb for waste collection or brought to the facility.

4. **Person:** Shall include, but not limited to, individuals, partnerships, corporations and their agents.
5. **Board of Selectmen:** is the elected Board of Selectpersons.
6. **Special Waste:** Waste designated by the Maine Board of Environmental Protection as Special Wastes.
7. **General Refuse or Waste:** Ordinary solid wastes generated during normal household operations except: (1) wastes identified in the Ordinance or (2) other wastes identified by rules which include but are not limited to white goods, appliances, furniture, mattresses, tires, construction and demolition debris, brush, leaves.
8. **Town:** Town of Phillips, Maine

Section 15: Effective Date

The Ordinance shall take effect at the time of its adoption by the Town Meeting

Validation: Raymond Saudette Raymond Caplette

Larry Pindler

Larry Pinkham

6/22/2021 Janet B White

Janet B White

Attested by Town Clerk: Betty Jean Barger

Date: June 24, 2021

Betty Jean Barger

Town of Phillips Solid Waste
General Rules

The following wastes are PROHIBITED FROM THE SOLID WASTE MANAGEMENT FACILITY.

A. Deposit of Refuse.

- I. The site attendant shall have the ultimate authority over the disposal of various types of refuse and the location of the deposition area.

- II. Prohibited wastes: The following is a list of wastes which cannot be accepted by the Phillips Solid Waste Management Facility.
 - a. **Hazard waste** which for the purposes of this facility shall include substances listed by the EPA and/or DEP as hazardous wastes or which are flammable, toxic, corrosive or reactive by themselves or in combination with other wastes.
 - b. **Hazardous substance** containers unless adequately cleaned and approved by the attendant.
 - c. **Large pressurized containers** (over 1 quart capacity)
 - d. **Liquid or viscous wastes.**
 - e. **Animal wastes or carcasses.**
 - f. **Automobile or vehicle bodies.**
 - g. **Stumps.**
 - h. **Asbestos and Special wastes** (see solid waste regulations)
 1. Oil, coal, wood and multi-fuel boiler and incinerator ash
 2. Industrial and industrial processed wastes
 3. Wastewater treatment plant sludge, paper mill sludge and other sludge waste.
 4. Debris and residuals from nonhazardous chemical spills and cleanup of those spills.
 5. Contaminated soils and dredge spoils
 6. Asbestos and asbestos containing wastes
 7. sand blast grit and nonliquid paint waste
 8. Medical and other potentially infectious or pathogenic waste
 9. High and low PH waste
 10. Spent filter media residue
 11. Shredder residue
 12. Other waste designated by the board, by rule

III. Waste shall be separated into the following categories:

- A. Wastes to be separated: Wastes requiring separation from the general refuse are listed below:
 1. White goods, major appliances and bulky metals including wheel rims.
 2. Furniture and mattresses may be stripped into component parts including upholstery and padding, framing and springs.
 3. Vehicular tires which must have rims removed and be reasonably clean.
 4. Clean wood wastes in limited amounts, which includes brush, scrap lumber and clean wood from demolition projects.

5. Recyclables as designated in Section IV.

IV. Fees: The Board of Selectman will set a schedule of fees.

V. The following components of solid waste, **dictated by current market recycling availability** shall be separated and recycled. The recyclables shall be handled as noted.

1. Corrugated cardboard – shall be dry, un waxed and flattened.
2. Newsprint – shall be dry.
3. Glass, if – no ceramics, window glass or light bulbs shall be separated into the clear, brown and green. Bottles shall be rinsed with metal lids and rings removed (labels are permitted)
4. HDPE Plastics – These are milk jugs, detergent bottles, motor oil bottles and similar semi-rigid plastic. Containers shall be empty and caps removed.
5. PET Plastics – These are soda bottles and similar clear, smooth plastic. Containers shall be empty and caps removed.

VI. Waste shall be deposited in the areas designated for each type.

VII. The attendant shall have final say in the deposition of all wastes. The attendant's decision may be appealed to the Board of Selectmen, however, the waste in question shall not be deposited at the site until resolved by the Board of Selectmen.

VIII. The following rules are enacted to protect the health and safety of the public:

- A. Unauthorized or untrained persons shall not use equipment.
- B. Do not salvage items from any area without a permit from the Board of Selectmen.
- C. Stay clear of moving equipment.
- D. Unauthorized personnel shall not enter the enclosed areas of the facility.
- E. Do no loiter in or around the site.
- F. All white goods delivered in the site, which have airtight doors such as refrigerators or freezers must have the doors removed.

IX. Both year round, seasonal residents, commercial and industrial establishments within the communities served shall obtain use permits from the Town of Phillips prior to use of the facility. In order to obtain the permit, persons must show that they pay property taxes or are a renter of property within the community served. The Town may grant temporary permits to seasonal residents or short term renters. The Town may set reasonable fees for the permits.

X. Commercial waste haulers shall obtain a use permit from the Town of Phillips prior to use of the facility. The haulers must provide the names of drivers, vehicle registration and license numbers. Haulers shall also maintain a list of residents served in the communities using the Solid Waste Management Facility. Haulers shall make the list available to the Town within seven days of a formal request to obtain it. All commercial haulers must cover loads hauled to the facility.

- a. Permits for residences and businesses shall be issued at current fee set by Select board.
- b. Permits for commercial haulers shall be issued at current fee set by Select board.

XI. The hours of operation shall be set by the Selectmen.

Current hours are as follows:

Wednesday	8:00 am to 1:00 pm
Thursday	8:00 am to 1:00 pm
Saturday	8:00 am to 1:00 p.m.
Sunday	8:00 am to 1:00 pm