

SOLID WASTE ORDINANCE FOR THE MUNICIPAL TOWN OF OXFORD

Adopted
July 8, 1986
August 4, 1988

Amended
March 8, 2003

Town of Oxford

SOLID WASTE ORDINANCE

An ordinance relating to the Disposal of Solid waste:

Prescribing Rules and Regulations therefore; and providing penalties for Violation hereof.

Be it ordained by the Town of Oxford, Maine (hereinafter called the "Town").

1.1. Short Title

This ordinance shall be known as and may be cited as the "Ordinance Relating to the Disposal of solid Waste prescribing Rules and Regulations therefor: Providing Penalties for violation thereof and shall be referred to herein as the "Ordinance".

1.2. Purpose

The purpose of the ordinance is to protect the health, safety and general well-being of the citizens of the Town; enhance and maintain the quality of the environment, conserve natural resources and prevent water and air pollution by providing a comprehensive, rational and effective means of regulating the disposal of solid waste in the Town in accordance with the provisions of Title 38 M.R.S.A. §1304-b as amended.

1.3. Definitions

For the purposes of this ordinance, the following definitions shall be observed in the construction of this ordinance.

1.3.2. "Ashes" shall mean that residue from the burning of wood, coal, coke or other combustible material.

1.3.3. "Board" shall mean the Board of Selectmen.

1.3.4. "Disposal" shall mean the discharge, deposit, dumping or placing of any solid waste into or on any land.

1.3.5. "Hazardous Waste" shall mean a waste substance or material in any physical state, designated as hazardous by the Department of Environmental Protection.

1.3.6. "Infection Waste" shall include those wastes so defined by the Department of Environmental Protection pursuant to Title 38 M.R.S.A. §1304.

1.3.7. "Municipality" shall mean the Town.

1.3.8. "Resource Recovery" shall mean the recovery of materials or substances that still have useful physical or chemical properties after serving a specific purpose and can be reused or recycled for the same or other purposes.

1.3.9. "Solid Waste" shall mean useless, unwanted or discarded solid material with insufficient liquid content to be free flowing, including by way of example, and not by limitations, rubbish, garbage, scrap materials, junk, refuse, inert fill material and landscape refuse, but shall not include septage tank sludge nonagricultural or hazardous wastes.

1.3.10. "Solid Waste Disposal Facility (Disposal Facility)" shall mean any land or structure or combination of land area and structures, including dumps and transfer stations used for storing, salvaging, reducing, incinerating or disposing of solid wastes.

Article II. Municipal Solid Waste disposal Facility.

2.1 Designation

2.1.1. The dumping or depositing of any solid waste generated within the municipality by any person or any place other than at this designated disposal facility or approved transfer station is prohibited, provided however, the owner of any lot or any other person with the permission of the lot owner, may deposit or dump inert substances such as earth, rocks, concrete or similar material for fill purposes only, subject to state or local user regulations.

Article III. Administration

3.1. Governing Board

3.1.1. The board shall establish the rules and regulations governing the availability and use of the disposal facility.

3.1.2. The operation of the disposal facility shall conform to all pertinent regulations or directives of all local, county, state or federal agencies which may have jurisdiction.

Article IV. Restrictions and Fees for Disposal

4.1. Restrictions

4.1.1. No person, firm or corporation shall permanently dispose of waste or refuse of any kind upon any land within the corporate limits of the Town of Oxford, unless such land has been designated by the Town as a solid waste disposal facility.

4.1.2. Certain materials may be excluded by regulation from those refuse materials which may be deposited at a solid waste disposal facility. These excluded materials may include junk automobile bodies and similar bulky waste which may require special processing prior to disposal, tree and tree trunks and limbs, burning materials or materials containing hot or live coals; hazardous wastes; and other materials which the Board deems necessary to exclude.

4.1.3. Universal Wastes shall be those wastes as defined by state law or regulation and shall be handled in accordance with rules as may be promulgated by the Maine Department of Environmental Protection, when the Town has the necessary and required space and equipment to handle Universal Waste in accordance with such rules.

4.1.4. Commercial Waste shall be those wastes not generated by individual households. All waste generated by or in the process of a business, non-profit organization, school or other educational institution, church, or any other entity other than a household shall be classified as Commercial Waste.

4.1.5. The Board of Selectmen may, by rule, exclude Commercial Waste, or some items of Commercial Waste, from disposal at the Transfer Station.

Hazardous wastes shall be handled in accordance with Title 38 M.R.S.A. §1317, et seq. As amended.

Article V. Rules and Regulations

5.1. Authorized Disposal Facility Users

The availability and use of the disposal facility shall be limited to residents of the Municipality, and to those residents of any other Municipality which may, by mutual agreement, be authorized to use the Disposal Facility. The Board may further regulate hauling of Solid Waste by requiring it to be transferred at that time directly to the Disposal Facility that is used by the Town.

5.1.1. All users of the Municipal Transfer Station shall display a valid current sticker permanently attached to the vehicle transporting the waste to the Transfer Station. Stickers are not transferable.

5.1.2. Property owners may obtain stickers permitting access to the Transfer Station upon presentation of proof of residence in the Town of Oxford, or of ownership of real property in the Town of Oxford. The sticker is not transferable to persons renting the real property for periods of less than thirty (30) days. Persons renting property for less than thirty days will need to have a letter from the property owner stating the name, address, license plate number and the sticker number as it was issued to the property owner.

5.2. Resource Recovery

5.2.1. The Board may require Solid Waste to be separated into such categories as may be established by the Boards regulation and disposed of only in such manner and at such sites and locations as designated.

5.3. Property Rights

5.3.1. Any solid waste deposited within the disposal facility shall become the property of the Municipality. No one shall become the property of the municipality. No one shall salvage, remove, or carry off any such deposited Solid Waste without prior approval of the Board.

Article VI. Miscellaneous

6.1.1. The Board may establish by order a schedule of fees to be charged to commercial refuse collectors and citizens for the use of the disposal Facility which schedule shall be posted and published. All fees collected shall be for the use of the town of Oxford.

6.1.2. It shall be the duty of the board or its designee to enforce the provisions of this ordinance.

6.1.3. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

6.1.4. If any section, subsection, sentence or part of the Ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance.

6.1.5. Whoever violates any of the provisions of this Ordinance shall be punished by a fine of not more than one hundred (\$100.00) dollars the day of violation plus costs which fine shall be recovered on complaint to the use of the Town.