Enacted 10/29/90

TOWN OF WAYNE
SOLID WASTE AND RECYCLING ORDINANCE

ARTICLE I. PURPOSE

The purpose of this ordinance is to protect the health, safety, and general well-being of the citizens of the Town of Wayne; 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 MRSA Sec. 1304.

ARTICLE II. DEFINITIONS

2.1 "Board" shall mean the Board of Selectmen.

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

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

2.4 "Infectious Waste" shall include those wastes so defined by the Department of Environmental Protection pursuant to Title 38 MRSA Sec. 1304.

2.5 "Person" shall mean any individual, firm, association, corporation, partnership, organization, institution, commercial hauler, or other legal entity.

2.6 "Town" shall mean the Town of Wayne.

2.7 "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, agricultural, hazardous, or infectious waste.

2.8 "Disposal Facility" shall mean any land or structure or combination thereof including dumps, landfills and transfer stations used for storing, salvaging, reducing, incinerating or disposing of solid wastes, which facility is owned, operated, or regulated by the Town of Wayne.

ARTICLE III. SOLID WASTE DISPOSAL

3.1 The dumping or depositing of any solid waste generated within the town by any person shall be at a disposal facility, provided however, a property owner may deposit inert substances such as earth, rocks, concrete, or similar material for fill purposes only, or landscape refuse, all subject to state and local regulations.

3.2 The dumping or depositing of any solid waste generated outside of the Town of Wayne by any person at a disposal facility in the Town of Wayne is prohibited.

3.2 The Board has the discretion to issue rules regulating solid waste disposal and disposal facilities including but not limited to days and hours of operation, fee schedules, dumping sites within disposal facilities, permits, commercial hauling, and disposal condition of certain types of solid waste.

ARTICLE IV. RECYCLING

4.1 Any person authorized to use a town disposal facility is required to separate certain items from their solid waste to be recycled and deliver these recyclables to the disposal facility in a manner regulated by the Board.

4.2 The Board has the authority to issue rules regulating recycling including, but not limited to, what solid waste items shall be recycled, how the items shall be prepared for recycling, the method of collection at the disposal facility, any fee schedules, and regulation of commercial hauling.

ARTICLE V. ENFORCEMENT

5.1 The Board and/or its designee shall enforce this Ordinance and take whatever action is required to enforce it.

5.2 Any person violating any provision of this Ordinance shall be punished by a fine of $100 for each violation plus enforcement costs incurred by the Town.

7. Recommendation or implementation of investigations or studies of matters, within the scope of the Committee's purpose/responsibilities, pertaining to Solid Waste and Recycling. Recommendation of third-party advisors to conduct said investigation/studies as Committee deems necessary, for Select Boards to consider funding from Transfer Station budget.

Meetings:

1. The Committee shall meet at intervals deemed necessary, not to exceed a three-month interval, to accomplish aforementioned duties/responsibilities.
2. The Committee's chairman, or the Transfer Station Manager, may call additional meetings as necessary.
3. The Committee may form subcommittees for any purpose, within the scope outlined in this charter, the Committee deems appropriate and may delegate to said subcommittees such power/authority as Committee deems necessary.

Following each meeting of the Committee, minutes/reports will be submitted to respective Select Boards. The Transfer Station Manager shall maintain Minutes/Reports from Committee meetings retained with other Transfer Station records.

- Approved by the Readfield Select Board, March 17, 2008.
- Approved by the Wayne Select Board, May 14, 2008.

Solid Waste and Recycling Committee Charter

Purpose and Composition

The Solid Waste and Recycling Committee (hereafter the "Committee) shall be a standing committee composed of the following voting members: one member from each participating Select Board, and at least three community members from participating municipalities; and the following non-voting members: the Transfer Station Manager and participating Town Managers. The Committee shall review and provide input and recommendations to the Transfer Station Manager and participating Select Boards regarding:

1. All Transfer Station operations, including: the Manager's forecasts and plans for the generation, transmission and distribution of recyclables, Municipal Solid Waste (MSW) and other waste materials brought to the Transfer Station; customer service; public education and awareness; advocacy for increased recycling; implementation of guidelines established for site/facility design, operation and storage at the Transfer Station; and hours of operation (year-round and summer only).
2. The Transfer Station's compliance with established policies, procedures and practices pertaining to the protection of the environment and health/safety of employees, contractors and general public; ensuring said are sufficient to achieve and maintain compliance with applicable laws and regulations.
3. Environmental and/or health/safety related issues.
4. Recycling: methods, materials, tracking, advocacy, awareness, and public education.

Committee members shall be independent of the Transfer Station with respect to their business or place of employment, without any direct or perceived conflict of interest (i.e. Transfer Station employees, commercial trash haulers, waste and recycling firms, etc.) Committee members shall be year-round residents of participating municipalities. Committee members shall be appointed to staggered three-year terms with respective Town Managers reserving the right to remove/add members, if necessary, before end of appointed term. The Committee shall designate a chairman, who shall preside over the meetings.

Duties and Responsibilities

Duties and responsibilities of the Committee shall include, but are not limited to, the following:

1. Annual review of the Transfer Station Manager's compliance reports, environmental, health/safety and/or public relations, to ensure reporting sufficient to meet requirements of applicable laws and regulations as well as local policies, procedures and practices.
2. Quarterly review of Transfer Station's goals: environmental, health/safety, budget, infrastructure, etc. compared to actual.
3. Investigation of any areas of Transfer Station operation not meeting goals for recommended corrective action as necessary.
4. Annual, or more often if deemed necessary, review of Transfer Station site layout and physical plant description to ensure optimal efficiency and safety.
5. Annual review of management's proposed budget for Transfer Station operations.
6. Annual self-assessment of this Committee's performance as prescribed by this Charter with findings to be included in participating Town's Annual Reports.