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**WALDOBORO
SOLID WASTE DISPOSAL AND
REQUIRED RECYCLING ORDINANCE**

ARTICLE I. Title, Purpose, & Definitions

- 1.1. Title: This Ordinance shall be known, and may be cited, as Amended and Restated Waldoboro Solid Waste Disposal and Required Recycling Ordinance. This Ordinance amends, restates, replaces and supersedes Chapter 65, Solid Waste Disposal dated March 24, 1980, as amended.
- 1.2. Purposes: This Ordinance:
 - 1.2.1. protects the health, safety and general well being of the citizens of Waldoboro;
 - 1.2.2. provides for the orderly and cost-effective disposal of solid waste;
 - 1.2.3. enhances and maintains the quality of the environment and conserves natural resources;
 - 1.2.4. prohibits littering and water and air pollution;
 - 1.2.5. provides for an adequate disposal facility and its maintenance;
 - 1.2.6. expressly limits use of the Transfer Station to Residents and Permitted Users;
 - 1.2.7. protects all Permitted Users and Residents from the misuse of taxes and fees they pay for the operation of the Transfer Station;
 - 1.2.8. requires the lawful disposal of Solid Waste to extend the useful life of the Landfill; and
 - 1.2.9. requires recycling to achieve all of the foregoing purposes.
- 1.3. Definitions
 - 1.3.1. Board means the Select Board of Waldoboro.

- 1.3.2. Bulky Waste includes but is not limited to furniture, drapes and other furnishings, mattresses, box springs, ropes, fencing, appliances, carpets and carpet padding and certain miscellaneous items, which are more fully described in Attachment A.
- 1.3.3. Compostable Waste includes leaves, grass clippings, prunings, and other similar wastes resulting from lawn care and gardening. Compostable Waste is more fully described in Section 2.7
- 1.3.4. Construction and Demolition Debris means mineral refuse and debris resulting from construction, remodeling, repair, or demolition of structures and is more fully described in Attachment A.
- 1.3.5. Disposal Methods refers to the methods Permitted Users and Residents use or may use to dispose of Solid Waste. Disposal methods may include Pay-Per-Bag or Single Stream or other generic methods of Disposing of Solid Waste.
- 1.3.6. Garbage or Trash mean everyday items Residents and Permitted Users generate and discard. It refers specifically to Solid Waste, which the Transfer Station does not recycle or place in the Landfill. Garbage and Trash do not include Bulky Waste, Compostable Waste, Construction and Demolition Debris, Recyclables, and Universal Waste.
- 1.3.7. Landfill means the area or areas the Board designates from time-to-time for the disposal of categories of Construction and Demolition Debris and the collection of Bulky Waste, and other items, which are not Garbage or Trash.
- 1.3.8. Partner means any town or municipality, which has joined or will join Waldoboro's efforts to collect, dispose of and recycle Solid Waste at the Transfer Station and the Landfill in accordance with the terms of this Ordinance.
- 1.3.9. Municipal Services Agreement means the agreement among Waldoboro and the Partners to share, among other things, the expenses of operating the Transfer Station. This Ordinance makes reference to The Municipal Services Agreement in Section 2.9.
- 1.3.10. Permitted User means any Resident, Resident Business, qualified part-time resident, or Waste Hauler holding a properly placed Transfer Station decal or permit.
- 1.3.11. Recyclables means items that can be reused or reclaimed to produce a new product. Recyclables include the items listed and described in Attachment A.

- 1.3.12. Resident means any person who maintains his, her, or its legal residence in Waldoboro or the Towns of Cushing or Friendship or any other town, which is or becomes a Partner. Resident also means summer residents or others who reside seasonally in Waldoboro or in one of the Partners and who may qualify to obtain a Transfer Station decal or permit.
- 1.3.13. Resident Business means any legally established commercial, professional, retail, wholesale or other business or legal entity conducting its operations within the boundaries of Waldoboro or a Partner.
- 1.3.14. Scale means the duly certified and annually tested instrument, which conforms to Maine and National Measurement Standards and which the Transfer Station uses to determine the weight of Solid Waste transported to the Transfer Station for disposal.
- 1.3.15. Solid Waste means Bulky Waste, Compostable Waste, Construction Demolition Debris, Garbage or Trash, Recyclables, and Universal Waste. Solid Waste does NOT include Unacceptable Waste.
- 1.3.16. Swap Shop means that area of the Transfer Station where Permitted Users may ~~recycle~~ place discarded items that are still useable. The rules for establishing and operating the Second Hand Shop are set forth in Attachment C.
- 1.3.17. Tax Collector means the Tax Collector of Waldoboro.
- 1.3.18. Transfer Station means the land, buildings, and other facilities the Board has set aside for the disposal of Solid Waste.
- 1.3.19. Transfer Station Committee means the committee more fully described in Article II, Section 2.4.
- 1.3.20. Unacceptable Waste includes, but is not limited to, hazardous wastes, biomedical wastes (except as noted in Attachment A), containers that previously contained pesticides, infectious waste, asbestos, and special nuclear or by-product materials within the meaning of the Atomic Energy Act of 1954, as amended. It also includes waste that is prohibited because it does not meet the requirements of Article II, Section 2.3.4 of this Ordinance. Unacceptable Waste is more fully described in Attachment A.
- 1.3.21. Universal Waste is a category of Recyclables. It refers to electrical appliances, including but not limited to, televisions, radios and computers, which are collected at the Transfer Station for a fee and transported to appropriate disposal areas. Universal Waste also includes compact fluorescent lamps (CFLs). Universal Waste is more fully described in Attachment A.

1.3.22. WTS Manager means the employee, whom the Town Manager of Waldoboro appoints to operate and manage the Transfer Station.

1.3.23. Waste Hauler means any person or company holding a valid Waste Hauler license or permit from the Town of Waldoboro and who charges a fee for hauling Solid Waste to the Transfer Station.

ARTICLE II. General Provisions

2.1. Storage and Disposal Requirements: Storage of Solid Waste prior to removal to the Transfer Station shall be the responsibility of all dwellings and commercial and industrial facility owners or primary occupants, including Residents and Resident Businesses. All shall store their Solid Waste in closed containers or by using other similar methods to preclude odors, rodents, insects, and other vermin from becoming a nuisance or health hazard.

2.2. Transfer Station Area and Landfill

2.2.1. Transfer Station Area. The Board, in consultation with the Transfer Station Committee and subject to a vote of the citizens of Waldoboro, shall establish, from time-to-time, an area or areas for the Transfer Station and shall maintain a permanent posting of the Transfer Station's location on the Waldoboro website.

2.2.2. Landfill. The Board, in consultation with the Transfer Station Committee and after a public hearing, may designate from time-to-time a Landfill or Landfills for the disposal of categories of Demolition Debris.

2.3. Use of the Transfer Station and Landfill

2.3.1. Recycling Required. This Ordinance requires recycling. Recycling minimizes the costs of disposing of and transporting Solid Waste, offsets the cost of operating the Transfer Station, and extends the life of the Landfill. All Permitted Users shall dispose of all Solid Waste and shall recycle in accordance with this Ordinance and the regulations of the State of Maine. (Please refer to Attachment A for re-cycling rules and guidelines.) In the event of a conflict between this Ordinance and State of Maine regulations, the regulations of the State of Maine shall apply if they are more restrictive.

2.3.2. Sole Use for Permitted Users. The Transfer Station and Landfill are solely for the use of Permitted Users. All Permitted Users must hold a valid Transfer Station decal or permit to use the Transfer Station and/or Landfill. All others are strictly prohibited from using the Transfer Station and the Landfill(s).

2.3.3. Transfer Station Decals and Permits. Each vehicle entering the Transfer Station or the Landfill must display either a decal or a permit valid for the then current calendar year or a defined period falling within the then current calendar year. The decal or permit shall be affixed or displayed in accordance with its instructions. Transfer Station employees shall turn away, or may enlist the support of Waldoboro police to turn away, vehicles without valid decals or permits. Permitted Users shall obtain their decals or permits in the manner set forth in Attachment A.

2.3.4. Origin of Solid Waste. No person, firm, corporation or other legal entity residing or operating as one or more of the Partners shall deposit, or cause or permit to be deposited, Solid Waste or Unacceptable Waste in any structure or on, or under, any land within Waldoboro or areas owned or occupied by, or allocated to, a Permitted User or Partner, which originates or is collected from or is in any way gathered, generated, or collected from outside the borders of Waldoboro or the Permitted Users or the Partners. Permitted Users shall not deposit Solid Waste at the Transfer Station or Landfill that has been conveyed, or given to them by non-residents or individuals, entities, firms, or corporations which are not Permitted Users.

2.3.5. Disposal Methods, Dumping Fees, Unacceptable Waste and Littering. All Solid Waste, including all Recyclables, generated from within the confines of Waldoboro and the Partners shall be deposited at the Transfer Station and/or the Landfill, except those items specifically exempted in Attachment A.

2.3.5.1 Disposal Methods. A majority of the Voters of the Town of Waldoboro casting their ballots at Open Town Meeting or during a Referendum Vote shall determine all Disposal Methods. The Transfer Station Committee shall recommend Disposal Methods to the Board. The Board shall conduct public hearings prior to placing articles regarding Disposal Methods on the Town Warrant.

2.3.5.2. Dumping Fee: Permitted Users, who deposit Solid Waste, which is NOT accompanied by Recyclables of a weight or volume set forth in Attachment A, shall pay the Dumping Fee set forth in Attachment B. The Dumping Fee shall be due whether or not an exemption for such Solid Waste is set forth in Attachment A.

2.3.5.3. Unacceptable Waste Prohibited. Unacceptable Waste shall not be deposited at the Transfer Station or the Landfill; it must be handled in the manner set forth in Attachment A.

2.3.5.4. Littering Prohibited. This Ordinance prohibits littering; dumping along roads, by-ways, streets and highways; unauthorized junkyards; and other

activities, which result in the deposit of Solid Waste or Unacceptable Waste outside of the boundaries of the Transfer Station or Landfill. Littering and unauthorized dumping are subject to the penalties and fines set forth in Attachment B of this Ordinance.

2.3.6. Waste Haulers and Waste Hauler Licenses.

2.3.6.1. Waste Hauler License Required. No person shall engage in the business or businesses of collection, transportation or disposal of Solid Waste within the borders of Waldoboro and the Partners without a valid license. Waste Haulers must apply for and obtain a license for use of the Transfer Station from the Tax Collector in accordance with Attachment A. Waste Hauler Licenses shall be valid for a period of one year, unless sooner revoked for cause. The Board may limit the number of Waste Hauler licenses the Tax Collector may issue. The Board shall from time-to-time establish the annual Waste Hauler license fees set forth in Attachment B. Waste Hauler licenses are not transferable and only the business and/or applicant identified on the application and the license itself may use them.

2.3.6.2. Separation of Solid Waste. Waste Hauler vehicles shall adequately accommodate the separation of Recyclables from other Solid Waste. Except as noted in Appendix A, Waste Haulers shall deposit at the Transfer Station all of the Recyclables they collect from their customers or pay the fees set forth in Attachment B.

2.3.6.3. Inspection Certificates. Waste Haulers shall transport their collected Solid Waste in vehicles with up-to-date inspection certificates. Waste Haulers shall not engage the services of drivers who do not carry valid drivers' licenses for the classes of vehicles the Waste Haulers operate.

2.3.6.4. Vehicles Covered. Waste Haulers shall cover their vehicles to keep their loads dry and to prevent the loss of any Solid Waste during collection, transport, and disposal operations. Waste Haulers cited for littering shall incur the fines and penalties set forth in Attachment B.

2.3.6.5. Sanitize Vehicles. Waste Haulers shall clean and disinfect their vehicles to eliminate possible odors and prevent vermin. Transfer Station employees may prevent unsanitary Waste Hauler vehicles from entering and using the Transfer Station and the Landfill.

2.3.6.6. Scale Weights. Transfer Station employees may require Waste Haulers to obtain full and empty weights at the Scale to determine dumping fees and penalties, if applicable.

2.3.6.7.Origins of Solid Waste. Waste Haulers must not collect and deposit at the Transfer Station Solid Waste or Universal Waste originating from or generated by clients located outside the borders of Waldoboro and the Transfer Station Partners.

2.3.6.8.Non-Compliance. A Waste Hauler's failure to comply with any provision of this Ordinance shall result in the payment of the fines and penalties set forth in Attachment B. Waste Hauler non-compliance with this ordinance shall constitute a civil violation and shall be sufficient cause for the Transfer Station Committee immediately to recommend to the Board the revocation of the Waste Hauler's license.

2.3.7. Scavenging and Salvaging. This Ordinance absolutely prohibits the scavenging and salvaging of materials from the Landfill because such activities can lead to injuries and other risks and hazards.

2.3.8. Unacceptable Waste.

2.3.8.1.Unacceptable Waste is more fully described in Attachment A. Only duly licensed companies and/or individuals may dispose of Unacceptable Waste. Licenses for the disposal of Unacceptable Waste require final approvals from the municipal, state, and federal agencies concerned. Unacceptable Waste must be disposed of in accordance with all applicable state and federal regulations.

2.3.8.2.Permitted Users who do not have licenses to dispose of Unacceptable Waste shall contract with companies the State of Maine has duly licensed to dispose of Unacceptable Waste.

2.3.8.3.The Transfer Station shall not take Unacceptable Waste. No person shall dispose of Unacceptable Waste anywhere within the borders of the Partners unless the Select Board has designated a site for Unacceptable Waste and Waldoboro or one of the Partners has obtained the required state and federal approvals for an Unacceptable Waste disposal site.

2.3.9. Attachments. This Ordinance hereby incorporates Attachments A and B, which are by reference made a part of it. The Board shall have the sole authority to amend and/or re-state or replace Attachments A and B, and to add attachments consistent with the terms of this Ordinance. Such amendments, restatements, replacements or additions shall occur only after the Board has held public hearings and has conducted openly public and televised consultations with the Transfer Station Committee.

2.4. Transfer Station Committee, Enforcement, Complaints, and Penalties

2.4.1 Purposes. The Transfer Station Committee shall:

- 2.4.1.1. Deliberate over and recommend Transfer Station Rules, which shall be consistent with the terms of this Ordinance and subject to the Board's approval;
- 2.4.1.2. Recommend the Transfer Station's hours of operation to the Board;
- 2.4.1.3. Recommend Recycling and Disposal Methods and policies to the Board;
- 2.4.1.4. Hear complaints and act upon them. The Committee may agree with the aggrieved party and recommend Ordinance changes or other actions to the Board. Alternatively the Committee may recommend sanctions or penalties for unacceptable behaviors or actions of Permitted Users. Penalties may include fines, revocation of licenses, requests for police action, sanctions, and any combination of the foregoing;
- 2.4.1.5. Recommend policies concerning Waste Haulers to the Board;
- 2.4.1.6. Make recommendations to the Board concerning signs at the Transfer Station;
- 2.4.1.7. Recommend changes or additions to the Transfer Station's physical layout and equipment. Such recommendations may relate, but not be limited, to reducing costs, improving service and efficiency, adding services and equipment, and containing the rate of growth of the cost of operating the Transfer Station and the Landfill;
- 2.4.1.8. Recommend fees charged to cover costs of operating the Transfer Station; and
- 2.4.1.9. On an as-needed basis, appoint Committee members to attend meetings of the Municipal Review Committee (MRC) and of the Penobscot Energy Recovery Company (PERC) and to report back to the Committee in order that the Committee may deliberate over MRC and PERC proceedings and make recommendations to the Board.

2.4.2 Transfer Station Committee Membership

The Transfer Station Committee shall consist of three seats from Waldoboro and two seats from each Partner. One of each Partner's two seats shall be allocated to a currently sitting select board member of such Partner – or former select board member -- and one seat shall be allocated to a Resident of such Partner. The select board of each Partner shall appoint its respective Transfer Station Committee members. One of the three Waldoboro Transfer Station Committee seats shall be allocated to a Waste Hauler, one seat shall be allocated to a currently sitting Board member, and the third seat shall be a non-seasonal Resident of Waldoboro. (If a Waste Hauler is not available to take the allocated

seat, the Board may appoint a non-seasonal Resident to the seat.) The select boards of Partners and the Board may choose alternates to attend Transfer Station Committee meetings. Alternates may vote at meetings at which their permanent members are not present. The Head of Waldoboro's Department of Public Works and the WTS Manager shall attend all Transfer Station Committee meetings in an advisory capacity. They shall not vote.

2.4.3. Transfer Station Committee Meetings. All Transfer Station Committee meetings shall be public and shall occur at least monthly in the Waldoboro Town Office, where they must be recorded for television broadcasts. During the first July meeting of each year, the Transfer Station Committee members shall elect a chairperson, a vice-chairperson, and a Secretary, all of whom may serve until the next succeeding July meeting. During each annual July meeting, the Chairperson of the Transfer Station Committee shall obtain the consensus of all Committee members regarding meeting schedules, creation of agendas, and rules for conducting business.

2.4.3.1. Quorum. A quorum shall be required at each Transfer Station Committee meeting. A quorum shall consist of the presence of a "majority plus one" Transfer Station Committee members.

2.4.3.2. Majority Vote. All actions or decisions of the Transfer Station Committee shall be by majority vote of the members present.

2.4.3.3. Failure to Attend Meetings. The failure of any Transfer Station Committee Member to attend three consecutive regularly scheduled Transfer Station Committee meetings without an excused absence from the Committee Chairperson, shall constitute sufficient grounds for the Committee Chairperson or, if applicable, the Committee Vice Chairperson, to remove such member from the Transfer Station Committee. The vacated seat shall be filled in the same manner of appointment as initially used to fill the seat.

2.4.3.4. Committee's Failure to Act. In the event the Transfer Station Committee fails to reach agreement, for whatever reason, concerning any matter for which this Ordinance bestows responsibility, then one or more of the Waldoboro members of the Committee may request in writing that the Board assume responsibility for the matter.

2.5 Enforcement of Transfer Station and Landfill Rules.

2.5.1 Inspections. Transfer Station employees shall have the authority to stop any vehicle and inquire of any person entering the Transfer Station and/or Landfill. They have the absolute right to examine any material a person brings to the

Transfer Station and/or Landfill to determine compliance with this Ordinance. Entry of Unacceptable Waste into the Transfer Station and/or Landfill is strictly prohibited. Entry of Solid Waste that is not separated in accordance with the terms of this Ordinance or which this Ordinance prohibits may, in the discretion of the WTS Manager, be subject to the fees set forth in Attachment B. Transfer Station employees shall prevent the entry of any and all vehicles without valid decals or permits. Police enforcement may be called upon. Violators of this Ordinance shall be called to account and, if the Board, by recommendation of the Transfer Station Committee, deems appropriate, prosecuted and/or barred from the use of the Transfer Station and the Landfill. A violation of this ordinance shall be deemed a civil violation.

2.5.2 Inspection Refusals. Any Transfer Station employee or the Head of Waldoboro's Department of Public Works may reasonably request the departure from the Transfer Station and/or Landfill of any occupant of any vehicle, who refuses to allow Transfer Station employees to inspect the Solid Waste contents of the vehicle or who refuses to answer questions about the nature of the contents of the vehicle or who behaves in an insulting or abusive manner. The refusal of such request may constitute trespassing. The police may be called upon to enforce the law.

2.5.3 Fines and Penalties. The Transfer Station Committee, upon recommendation of the WTS Manager, may request the Board to assess penalties and/or fines against violators of any provision of this Ordinance, including the provision against littering, in accordance with the fines, penalties and sanctions set forth in Attachment B of this Ordinance. The Board shall support the Transfer Station Committee's findings unless the facts of a case, as presented, require other actions.

2.6 Swap Shop

2.6.1 Purpose. The Swap Shop shall facilitate recycling of items left at the Transfer Station.

2.6.2 Swap Shop Management. The management procedures and policies of the Swap Shop shall be developed and recommended by the Transfer Station Committee and reviewed and approved by the Board. Swap Shop management procedures and policies, if adopted by the Board, shall become an additional attachment to this Ordinance.

2.7 Composting

2.7.1 Composting Encouraged. This Ordinance encourages Permitted Users to compost on their own property.

- 2.7.2 Compostable Waste. Compostable Waste shall consist only of biodegradable plant materials. Compostable Waste does not include animal and human waste. Farmers and growers may use the manure of their farm animals for composting and fertilizing on their own property.
- 2.7.3 Composting Principles and Sites. Residents shall compost in accordance with reasonable composting techniques and principles, which prevent odors and do not attract vermin. Compost piles must not be a nuisance to neighbors, and must be sited unobtrusively and away from the view of the public and neighbors. Composting shall not pollute the Medomak River watershed or its wetlands or compromise the use of the Medomak River watershed and wetlands for clamming, fishing and other commercial and recreational use. All composting shall be done in accordance with best management practices and the Waldoboro Land Use Ordinance.
- 2.7.4 Composting at Transfer Station. The Board, upon recommendation of the Transfer Station Committee, may direct the establishment of composting areas at the Transfer Station. The Maine Department of Environmental Protection must approve such areas, and the rules for composting, if any, shall be the subject of an additional attachment to this Ordinance. The Transfer Station Committee shall determine the uses and/or disposition of Transfer Station compost.
- 2.8 Validity/Separability: If a court of law finds any part of this Ordinance to be unenforceable or contrary to existing laws, such finding shall not affect the legality or enforceability of any other part of this Ordinance.
- 2.9 Effective Date: This Ordinance shall take effect 30 days after Waldoboro and the Partners have approved the Amended and Re-stated Municipal Services Agreement in accordance with its terms. The Amended and Restated Municipal Services Agreement governs the relationships between Waldoboro and the Partners.

Approved June 12, 2012 by Town Meeting.

Craig Cooley

Steve Cartwright

Attest to all:

James Bodman

John A. Spear, Town Manager

Theodore Wooster

Carl Cunningham

Attest: A true copy as certified to me by the Municipal Officers of Waldoboro, Maine on July 24, 2012.

Linda E. Perry, Town Clerk

Town Seal

ATTACHMENT A

Decals and
Rules Concerning, and Descriptions and Disposition of,
Solid Waste
(Amended and Re-Stated as of January 12, 2016)

A1. Issuance of Transfer Station Decals and Temporary Permits (Pursuant to Sections 2.3.2 and 2.3.3 of the Ordinance)

A1.1. Decals and Decal Location. Permitted Users who are permanent Residents of their respective towns must obtain their decals from the WTS Manager at the Transfer Station after showing the WTS Manager their Maine driver's licenses and their automobile registration, both of which MUST show an address in one of the Transfer Station Partners. All decals the WTS Manager issues shall have written on them the license plate number of the vehicle to which they are affixed. Decals shall be affixed to the lower left corner of the vehicle's windshield. The decal shall permit the holder access to the Transfer Station and to the Landfill during its term of validity.

A1.2. Temporary Permit Applications and Placards for Part-time Residents and Others. People who are living part-time in one of the Partners or who are summer residents in one of the Partners or who are intending to become full-time residents of one of the Partners shall obtain temporary Transfer Station Permit Placards from their respective Partner town office. The Temporary Permit Placard shall allow the holder access to the Transfer Station and to the Landfill. The Transfer Station Committee may periodically determine the form of the Temporary Permit Placard. The Temporary Permit Placard shall be displayed on the dashboard of the driver's side of the vehicle. The Temporary Permit Application shall contain the following information:

A1.2.1. Applicant's name;

A1.2.2. Applicant's local address and phone number and permanent address and phone number;

A1.2.3. Year, make and license plate number of the applicant's vehicle;

A1.2.4. Date of issuance and date of expiration of the Temporary Permit;

A1.2.5. Evidence of part-time residency in one of the Partners

A1.2.6. Identity of the town office, which issued the temporary permit.

Attachment A: January 12, 2016

The Temporary Permit Placard shall state the owner's address, the license number of the vehicle, and the expiration date of the temporary permit.

A1.3. Construction and Demolition Debris Permit Applications and Placards.

The Transfer Station Committee may periodically determine the form of the Construction and Demolition Debris (CDD) Permit Application and Placard. The WTS Manager may issue blank CDD Permit Applications to Resident Businesses and to non-resident businesses performing services of a short-term duration for a Resident. Such businesses must have their Resident clients complete and sign the CDD Permit Application and provide a contact phone number so that the WTS Manager may verify the accuracy of the information the CDD Permit Application contains. The WTS Manager shall keep the completed and duly signed CDD Permit Application on file at the Transfer Station. The CDD Permit Application shall contain the following information:

- A1.3.1. Applicant's name ("Applicant" refers to the entity performing the CDD removal service);
- A1.3.2. Applicant's local address and phone number and permanent address and phone number;
- A1.3.3. Year, make and VIN of the applicant's vehicle;
- A1.3.4. Physical location and/or address of the Permitted User contracting the Applicant's services;
- A1.3.5. The nature and location of the work the applicant will perform for the Permitted User;
- A1.3.6. Date of issuance and date of expiration of the permit;
- A1.3.7. A statement that the permit allows for the disposal of no more than 30 cubic yards or an equivalent number of pounds of CDD per month; and
- A1.3.8. If applicable, the number of the vehicle operator's Maine State CDD Hauler's license, which is issued for vehicles with a Gross Vehicle Weight of more than 10,000 pounds.

Upon verification of the information contained in the CDD Permit Application, the WTS Manager, or his duly appointed alternate, shall issue a CDD Permit Placard, which must be displayed on the driver's side dash board of the vehicle named on the CDD Permit Application. The CDD Permit Placard shall state the Name of the vehicle's owner, the make of the vehicle, the License Number of the Vehicle, the issuance and expiration dates of the CDD permit, and an area where the WTS Manager can record the date and amount of each load of CDD deposited at the Transfer Station during the term of the project.

Attachment A: January 12, 2016

- A2. Issuance of Waldoboro Waste Hauler Licenses and License Placards (Pursuant to Section 2.3.6 of the Ordinance.)
- A2.1. Only the Tax Collector or the Tax Collector's designee is authorized, in consultation with the WTS Manager, to issue each Waste Hauler license and to collect the appropriate fee.
- A2.2. Waldoboro Waste Hauler license applicants must accompany their application with a valid Waste Hauler license from the State of Maine, Department of Environmental Protection, Bureau of Remediation & Waste Management if applicable to the Gross Vehicle Weight of the Waste Hauler's vehicle, and/or a certificate of liability insurance appropriate to the Gross Vehicle Weight of the vehicle. The certificate of insurance must name the Town of Waldoboro as an additional insured and contain a 30-day termination notification.
- A2.3. Each Waste Hauler must have its own Waste Hauler license.
- A2.4. Waste Haulers shall apply for new or renewal Waldoboro Waste Hauler licenses by June 1st of each year. If granted, Waldoboro Waste Hauler licenses shall be valid for one year commencing on July 1st.
- A2.5. Each Waste Hauler License Application shall contain the following information:
- A2.5.1. The name and address of the Waste Hauler
- A2.5.2. The Vehicle Identification Number(s) of the Waste Hauler's vehicle(s) and the vehicles' color(s), make(s), model(s), and Gross Vehicle Weight (s);
- A2.5.3. The Waste Hauler's address and phone number and the physical address of the vehicle parking location;
- A2.5.4. The effective and expiration dates of the Waldoboro Waste Hauler's license;
- A2.5.5. The name of the insurance company providing liability insurance for the vehicle(s), its owner, and its driver; and
- A2.5.6. Evidence that the vehicle is carrying a current inspection sticker
- A2.5.7 Evidence, satisfactory to the authorized Town of Waldoboro office employee(s) and the WTS Manager, that all of Waste Hauler's vehicles conform to the requirements of Section 2.3.6.2 of the Ordinance.
- A2.6 The Waste Hauler License Placard shall be issued on the basis of information contained in the approved Waste Hauler License Application and must contain the license plate number of the vehicle and the expiration date of the Waste Hauler License.
- A.2.7 Renewal Licenses shall not be issued to Waste Haulers who have any outstanding invoices for fees and/or penalties the WTS Manager has assessed pursuant to this Ordinance.

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- A3. Separation of Bulky Waste, Constructions Demolition Debris, Garbage or Trash, and Recyclables (Pursuant to Sections 1.3.2, 1.3.4, 1.3.12, 1.3.15, 2.3.1, 2.3.5.2 and 2.3.6.2 of the Ordinance)

Permitted Users shall convey their discarded Solid Waste and Universal Waste to the Transfer Station. Subject to Section A4, Waste Haulers shall convey to the Transfer Station all of the Solid Waste and Universal Waste with which their Partner customers have entrusted them. Permitted Users, including Waste Haulers, shall separate or shall ensure the separation of, their Recyclables, Garbage, Bulky Waste, Compostable Waste, Universal Waste, Unacceptable Waste and Construction and Demolition Debris. The goal of this Ordinance is to achieve the highest possible level of recycling in order to reduce the amounts the Partners pay to have their Solid Waste transferred out of the Transfer Station. The WTS Manager has established a minimum goal of 30% Recyclables by volume and 18% by weight as determined in accordance with Section B3 of this Ordinance. Only Garbage shall remain for deposit into the Transfer Station compactor after sorting and separation. All Solid Waste conveyed to the Transfer Station shall be deposited in accordance with the WTS Manager's directives, which shall be consistent with the purposes of this Ordinance.

- A4. Exceptions and Refusals (Section 2.3.5 of the Ordinance): The following Items are exceptions and refusals, as described below:

- A4.1. Solid Waste from which Recyclables have not been removed and which Waste Haulers have collected from public schools located in Waldoboro and/or in one of the Partners shall be deposited at the Transfer Station and the Permitted User depositing such Solid Waste shall pay the applicable dumping fee set forth in Section B.
- A4.2 Construction and Demolition Debris, which is intended for the Landfill and which is acceptable to legally sanctioned dumping areas outside of the boundaries of Waldoboro and the Partners need not be deposited. The intention of this exception is to extend the useful life of the Landfill.
- A4.3 Solid Waste, excluding Recyclables, which Waste Haulers collect from Residents and/ or Resident Businesses and discard at legally sanctioned dumping areas located outside of the boundaries of Waldoboro and the Partners need not be deposited, provided however that Recyclables not deposited at the Transfer Station shall be reported in accordance with Section A4.4 below.

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- A4.4 Waste Haulers who collect Recyclables from within the boundaries of the Partners but deposit or sell them elsewhere shall submit a monthly report to the WTS Manager documenting the categories and weights or volumes of such undeposited and/or sold Recyclables. The Town of Waldoboro requires the information contained in the reports to fulfill Maine Department of Environmental Protection reporting requirements. Failure to submit the monthly reports shall constitute sufficient reason for the Board, upon recommendation of the Transfer Station Committee, to revoke the Waste Hauler's Waldoboro Waste Hauler License. The submission of monthly reports does not exempt Waste Haulers from paying the dumping fee set forth in Attachment B.
- A4.5. Refusals. The WTS Manager may refuse to allow the deposit of certain categories of Solid Waste in the event there is not sufficient space to accommodate them at the Transfer Station or in the event such categories of Solid Waste have not been separated in accordance with Section A3. Examples include items intended for the metal or the woodpiles, which have reached maximum capacity or the failure to separate mixed paper from corrugated cardboard.
- A5. Recyclables (Pursuant to Sections 1.2.11 and 2.3.1 of the Ordinance). Permitted Users shall separate their Recyclables into the categories set forth in this Section. The WTS Manager shall install legible signs at clearly designated disposal areas and on bins within the Transfer Station, subject to plans and traffic patterns the Transfer Station Committee recommends and the Board approves, to indicate acceptance of the following Recyclables:
- A5.1. Glass, colored and clear, thoroughly cleaned;
- A5.2. Porcelain, ceramic sinks, toilets, and tubs, porcelain bathroom fixtures, and ceramic cookware. Remove all covers and lids;
- A5.3. Cans and metal drums (tin, steel and aluminum) and foil pie plates, all with labels removed, all thoroughly cleaned and, if possible, crushed. The WTS Manager may only accept metal drums and cans if he or she is convinced that the drums and/or cans did not previously contain Unacceptable Waste;
- A5.4. Newspapers and magazines, including newspaper inserts, telephone books, catalogues, paperback or hardcover books, ~~phone books~~, and brochures. All must be clean and dry;
- A5.5. Mixed Paper including junk mail, clean cereal and food boxes, clean egg cartons, clean pizza boxes, computer paper, copier paper, paper bags, and colored paper. Mixed Paper DOES NOT include waxed paper or aseptic boxes, food, plastic, rubber bands, or used tissues and paper towels. Mixed Paper DOES include fluted (gable-end) juice, milk and similar food or drink cartons To help ensure personal privacy, this

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Ordinance recommends that Permitted Users shred junk and personal mail and other mixed paper, which could contain confidential information.;

- A5.6. Corrugated cardboard, which must be cleaned of food waste and contain no solid Styrofoam or other packing materials. Waxed cardboard is unacceptable. (BAGGED Styrofoam and starch peanuts are put into the compactor);
 - A5.7. Plastic including containers Numbered 1 thru 7 (thoroughly rinsed with caps removed), plastic toys, and other plastic items. No. 2 plastics (HDPE) must be separated from other plastics, and No. 2 plastics must, themselves be separated into non-colored and colored; The Transfer Station does not recycle PVC PIPES, HOSES OR OTHER PVC ITEMS, all of which must be thrown into the Transfer Station Compactor or “hopper”; and
 - A5.8. Clean and empty plastic grocery store shopping bags and shrink-wrap.
- A6. Construction and Demolition Debris (CDD): (Sections 1.3.4 and 1.3.7 of the Ordinance) CDD shall be separated and deposited on the day pads the WTS Manager has designated for them.
- A6.1. Construction and Demolition Debris includes bricks, dirt, yard waste, asphalt shingles, broken wall board, sheetrock, blue board, pressure-treated wood, painted wood, untreated wood, wooden furniture, Structural Insulated Panels (SIPS), and insulation.
 - A6.2. Demolition lumber shall be cut into lengths of 8 feet or less and deposited onto the woodpile.
 - A6.3. All Construction and Demolition Debris shall be separated and deposited into the following separate areas, for each of which the WTS Manager shall set out clearly marked signs:
 - A6.3.1. Pressure-treated wood
 - A6.3.2. Wood furniture, painted wood and untreated or plain lumber;
 - A6.3.3. Plywood and Oriented Strand Board (OSB);
 - A6.3.4. Brick and cement blocks;
 - A6.3.5. Asphalt shingles, tarpaper, and other roofing underlayment; and
 - A6.3.6. Sheetrock, blue board, wallboard, and other similar materials;
 - A6.4. Batt and other insulation must be deposited into the compactor or “hopper”.
- A7. Bulky Waste. (Sections 1.3.2 and 1.3.15 of the Ordinance) Bulky Waste includes upholstered furniture, mattresses, rugs, carpets, carpet padding, drapes, box springs, ropes, cable, fencing, and appliances and the miscellaneous items listed below. All Bulky Waste shall be deposited as the WTS Manager directs. Fees, if applicable, are set forth in Attachment B. Bulky Waste includes:

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- A7.1. Plastic Pallets;
 - A7.2. Wooden Pallets, which, in the sole discretion of the WTS Manager, are suitable for recycling;
 - A7.3. Propane Tanks;
 - A7.4. Batteries. Any lead acid battery, including car, truck, motorcycle, and boat batteries, all of which the Transfer Station ships to a lead recycling center, and conventional and re-chargeable batteries of all kinds and sizes. including battery packs;
 - A7.5. Metal, including sheet metal items, which shall be cut or folded and flattened so that no dimension exceeds four (4) feet; iron, steel, aluminum, copper, and brass, all separated by type of material; wire and cable; and metal furniture. The WTS Manager may allow in his sole discretion empty fuel tanks of any kind (with mercury switches removed), catalytic converters, and small auto parts and tire rims;
 - A7.6. Tires with rims removed. Residents may deposit their tires at the Transfer Station. Commercial tire sellers and/or changers may not bring their tires to the Transfer Station;
 - A7.7. Appliances. Refrigerators and freezers must have all doors removed before their arrival at the Transfer Station. Transfer Station personnel shall arrange to remove Freon gas, if any, from all appliances, including air conditioners. Washers, dryers, cookers, ranges, stoves, and water heaters, whether gas or electric, need not be disassembled prior to their being placed in the designated Transfer Station area;
 - A7.8. Ashes from all stoves, whether hot or cold, shall be placed in drums or barrels located at the Transfer Station;
 - A7.9. Waste Oil and Anti-Freeze. The Transfer Station will charge a fee to accept waste engine oil and anti-freeze in containers not exceeding 5 gallons. One-gallon containers are preferred. No water, gasoline, or antifreeze may be in the oil and no oil, or gasoline may be in the anti-freeze. The disposal charge for waste oil may be avoided by taking the waste oil to someone who burns waste oil. The Transfer Station has a list of people who burn waste oil and will accept it from Residents;
 - A7.10. Brush, including Christmas Trees. Tree limbs, and branches must be cut into lengths of not more than 8 feet for chipping;
 - A7.11. Vinyl siding, not more than 5 feet in length; and
 - A7.12. Animal feces from domestic pets, which should be bagged and put into the hopper.
- A8. Universal Waste (Pursuant to Section 1.3.21 of the Ordinance) shall be deposited in the areas the WTS Manager designates. Universal Waste includes:
- A8.1. Portable Radios;
 - A8.2. Cell Phones and home phones;

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- A8.3. Laptop and desktop computers and servers
 - A8.4. Televisions;
 - A8.5. Speakers, amplifiers, tape decks, CD players, and video games;
 - A8.6. Compact fluorescent energy saver light bulbs (CFLs);
 - A8.7. Any and all other electronic equipment, of which the WTS Manager approves;
 - A8.8. Mercury;
 - A8.9. Freon; and
 - A8.10. Freon Replacement.
- A9. Garbage or Trash (Pursuant to Sections 1.3.6, 1.3.15, and 2.3.4 of the Ordinance). Solid Waste that is Garbage or Trash (including properly bagged feces from household pets) must be in plastic bags or other suitable containment for disposal into the Transfer Station compactor. Bagged Garbage or Trash must not contain Recyclables, Universal Waste, Construction Demolition Debris, Unacceptable Waste, Bulky Waste or any other items, which cannot be considered Garbage or Trash.
- A10. Compostable Waste (Pursuant to Section 2.7 of the Ordinance). The Transfer Station accepts Compostable Waste under a pilot program with Lincoln County Recycling.
- A11. Prescription and Over-the-Counter Medicines (Pursuant to Section 2.3.1 of the Ordinance). Prescription and over-the-counter medicines includes pills, capsules, salves, medicinal ointments, and other similar items. The ultimate destination for discarded medicines is the incinerator at the Penobscot Energy Recovery Company, which incinerates them at extremely high temperatures. All such substances should NOT be flushed down a toilet, buried, or disposed of in ways that could expose them to others. The best disposal method is to remove the item from its container and to mix the discarded item with household pet feces, garbage, or other substances that make it clear it is not intended for human consumption. The mixed items should then be placed in a bag and disposed of as Garbage at the Transfer Station.
- A12. Unacceptable Waste (Pursuant to Section 1.3.20 of the Ordinance). The Transfer Station shall not accept the following types of waste. All Permitted Users must consult with the WTS Manager regarding the proper disposal of Unacceptable Waste.
- A12.1. Any Solid Waste or substance, whatever the amount, which the Federal Environmental Protection Agency classifies as “Hazardous” or “special”;
 - A12.2. Dead animals or other pathological waste;
 - A12.3. Truckload lots of tires;
 - A12.4. Commercial Shellfish waste;

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- A12.5. Junk vehicles or parts, including electric car batteries, which are to be left with the car dealer. They are not accepted at the Transfer Station.
- A12.6. Septage, septage treatment waste, septic tank waste, farm animal feces (manure), and sludge from wastewater treatment plants;
- A12.7. Asbestos shingles, siding and flooring;
- A12.8 Bituminous Pavement (Asphalt Paving) and Concrete; or
- A12.9. Waste which does not meet the requirements of Section 2.3 of the Ordinance.

ATTACHMENT B

Fee Schedule
Fines, Penalties and Sanctions
(Amended and Re-Stated as of February 9, 2016)

B1. Annual Permit, License and Decal Fees (Pursuant to Sections 2.3.3 and 2.3.6.1 of the Ordinance and A1)

- B1.1. Annual Permitted User Decal Fee (Attachment A1): No Fee
- B1.2. Temporary Permit Fee for Part-time Residents and Others: No Fee (Attachment A1)
- B1.3. CDD Permit (Attachment A1): No Fee
- B1.4. Annual Waste Hauler License Fee: \$25 per license (Attachment A2)

B2. Fees for Bulky Waste and Construction and Demolition Debris (Pursuant to Section 2.3.9 of the Ordinance):

- B2.1. Antifreeze (per gallon) \$1.00
- B2.2. Appliances/White Goods
 - Appliances not requiring Refrigerant for normal Operation \$3.00 per unit
 - Appliances With Refrigerant Or which had Refrigerant \$10.00 per unit
 - Hot Water Tanks \$5.00 per unit
 - Pressure Tanks (only if not pressurized) No charge
- B2.3. Batteries
 - Car and Marine Batteries \$2.00 per battery
 - AA, AAA and other Batteries No Charge
 - Rechargeable batteries for tools and appliances, including lithium Gel motorcycle batteries, inverters No Charge
- B2.4. Electric car batteries are to be left with the car dealer. They are not accepted at the Transfer Station.
- B2.5. Construction and Demolition Debris: Permitted Users, including Waste Haulers, must obtain a CDD Permit to dump CDD at the Transfer Station. (Please see Section A1.3.) During a given month, the permit allows the dumping of no more than 30 cubic yards of CDD or the equivalent

tonnages of CDD for the categories indicated below. For purposes of this Ordinance, The Transfer Station considers one load from a pick-up with a 6-foot bed to be one (1) cubic yard. The fee for deposited CDD shall be \$0.06 per pound, provided however that the following fees may be paid during the volume to weight transition period set forth in Section B3.2, after which all fees shall be assessed by weight.

Less than 1 cubic yard	\$10.00
1 to 4 cubic yards	\$15.00 per cubic yard
4+ to 8 cubic yards	\$30.00 per cubic yard
8+ cubic yards	\$40.00 per cubic yard

Note: The Transfer Station does not accept asphalt paving or concrete.
See Section A12.8

B2.6. Fluorescent Light Ballasts/Transformers	\$1.25 each
B2.7. Mattress or box spring - single	\$5.00 each/\$10 set
Queen or Larger	\$10.00 each/\$20 set
B2.8. Motor Oil	\$0.50 per gallon
B2.9. Paint and paint thinner/turpentine	\$0.50 per gallon
B3.9.1. There is no disposal fee for Latex paint, mixed with sawdust or cat litter. The mixture shall be dumped into the Transfer Station compactor.	
B3.9.2. Oil-Based Paint, No more than 5 gallons at one time	\$8.00 per gallon
B2.10. Scrap Metal	\$5.00 per cubic yd or \$0.02 per lb

Per cubic yard rates in this section shall only apply during the Volume to Weight Transition Period set forth in Section B3.2, after which all fees shall be assessed by weight.

B2.11. Universal Waste: Televisions/CRTs/Servers, Laptops and desktop Computers, CFL's Portable Electronic Equip.	No charge, subject to changes in State of Maine mandates
TV's and Computer Monitors	\$5.00 each
B2.12. Tires (Permitted Users are encouraged to leave used tires at the service garage or auto dealer)	
Auto, w/out rims	\$2.00 per tire
Auto, with rims	Not accepted
Truck Tires w/out rims 20" or smaller	\$ 5.00 per tire
Tires greater than 20" without rims must be cut into three pieces	\$9.00 per tire
Tires greater than 20" With rims	Not accepted

B2.13. Clean Wood and Brush	\$5.00 / cubic yd/\$0.03/lb
Shingles and Sheet Rock	\$15.00 / cubic yd/\$0.09/lb
Demolition Wood including Pressure Treated and Painted Wood, OSB, Plywood and Other Wood*	\$
	\$10.00 / cubic yd/\$0.06/lb

Per cubic yard rates in this section shall only apply during the Volume to Weight Transition Period set forth in Section B3.2, after which all fees shall be assessed by weight unless the scales are Inoperable in which case the cubic yard fees will apply

*("Other wood" includes stained wood, and particle board, all of which are to be put into the wood pile to be ground up and disposed of either into the Landfill or by other means)

B2.14 Payment of Bulky Waste and CDD Fees. Permitted Users shall pay the Bulky Waste and CDD fees charged pursuant to this section in accordance with the WTS Manager's instructions. All Bulky Waste and CDD fees shall be deposited into the Transfer Station Special Revenue Fund and used to offset Transfer Station expenditures.

B3. Dumping Fees and Payment (Pursuant to Sections 2.3.5, 2.3.4, and 2.3.6)

B3.1 Discretionary Authority. This Ordinance requires Permitted Users to deposit all of their **discarded** and appropriately separated Recyclables at the Transfer Station. This requirement extends to Waste Haulers, who must deposit all of their collected and appropriately separated Recyclables at the Transfer Station or report their weights or volumes to the WTS Manager in accordance with Section A4.4. During the Volume to Weight Transition Period described in Section B3.2, the Transfer Station employees shall have discretionary authority to determine by volume or by weight whether the Recyclables that Permitted Users deposit at the Transfer Station are meeting recycling goals and assess fees where applicable. Transfer Station employees must exercise their discretionary authority fairly with respect to all Permitted Users when measuring by volume or by weight.

B3.2. Volume to Weight Transition Period. The Volume to Weight Transition Period shall extend from October 1, 2015 through close of business at the Transfer Station on February 29, 2016.

B3.3 Determining Garbage (G) and Recyclables (R) by Volume during the Volume to Weight Transition Period.

B3.3.1 Remove all Bulky Waste, CDD, Universal Waste and other Solid Waste that is not Recyclables and/or Garbage and assess the appropriate fee against the Solid Waste that is not Recyclables and/or Garbage

B3.3.2 Measure to estimate the aggregate volume of the remaining Garbage and Recyclables

B3.3.3 Remove the Recyclables (R)

B3.3.4 Measure to estimate the volume of the Garbage that remains (G)

B3.3.5 Calculate R as: $(R+G) - G$ (Recyclables equal Recyclables plus Garbage minus Garbage).

B3.3.6 Mixture of Compacted and Uncompacted Trash. The Transfer Station employees shall be the sole determiners of whether materials deposited into the Transfer Station Compactor are compacted or uncompacted or are a pro-ratable mixture of the two. Transfer Station employees shall assess dumping fees during the Volume to Weight Transition Period, based upon the relative portions of uncompacted and compacted materials, in accordance with Section B3.5.1.

B3.4 Determining Garbage (G) and Recyclables (R) by weight during and after the Volume to Weight Transition Period.

B3.4.1 Remove all Bulky Waste, CDD, Universal Waste and other Solid Waste that is not Recyclables and Garbage and assess the appropriate fee against the Solid Waste that is not Recyclables and/or Garbage

B3.4.2 Weigh the remaining Garbage and Recyclables

B3.4.3 Remove the Recyclables (R)

B3.4.4 Weigh the Garbage that remains (G)

B3.4.5 Calculate R as: $(R+G) - G$ (Recyclables equal Recyclables plus Garbage minus Garbage).

B3.5 Calculation of Recyclables Percentage (%R) by Volume, by Weight, and by the bag.

B3.5.1 Percentage of Recyclables (R) for Truckloads of deposited Solid Waste by Volume: The Recyclables Percentage of each truckload of Solid Waste delivered to the Transfer Station shall be calculated as follows:

$\%R = R/(G+R)$ (Percentage of Recyclables equals Recyclables divided by the sum of Garbage and Recyclables)

Example: $G + R = 150$ cubic Yards

$R = 50$ Cubic Yards

$G = 100$ Cubic Yards

$\%R = 50/(100 + 50) = 33.3\%$

B3.5.2 Calculation of Recyclables Percentage (%R) by Weight

$\%R = R/(G+R)$ (Percentage of Recyclables equals Recyclables divided by the sum of Garbage and Recyclables)

Example: G + R = 3,000 pounds
R = 1,000-pounds
G = 2000 pounds
 $\%R = 1.000/(2,000 + 1,000) = 33.3\%$

B3.5.3 %R for Solid Waste deposited by the Bag: For every three 30-gallon bags or every three contractor bags Transfer Station employees shall estimate %R on the basis that two of the three deposited bags shall contain Garbage and one of the three deposited bags shall contain appropriately sorted Recyclables. Transfer Station Employees shall, in their sole discretions, have the option of weighing the bags and determining %R in accordance with Sections B3.5.1 or B3.5.2.

B3.6 Minimum %R. As stated in Section A3 of this Ordinance, the WTS Manager has determined in his sole discretion that Permitted Users must deposit a %R of not less than 30% (Minimum %R) for purposes of determining dumping fees by volume and not less than 18% (Minimum %R) for purposes of determining dumping fees by weight in order to ensure that the purposes of this Ordinance as set forth in Article 1.2 are achieved. The WTS Manager shall not assess fees against Permitted Users who deposit the Minimum %R, as determined in accordance with Section B3.3 or B3.4, as appropriate.

B3.7 Dumping Fees By the Bag for Permitted Users Who do NOT Recycle.

B3.7.1 Permitted Users who do not separate Recyclables for deposit at the Transfer Station as required by this Ordinance or who do not recycle in accordance with the requirements of this Ordinance shall pay the following dumping fees for all materials deposited into the Transfer Station compactor. Transfer Station staff shall determine, in their sole discretion, which of the following fees shall apply to the material deposited into the Transfer Station compactor:

\$0.06 per pound or
\$13.50 per uncompacted cubic yard or
\$35.00 per compacted cubic yard or
\$0.60 per 30-gallon bag or
\$1.20 per contractor bag

B3.7.2 For purposes of this Section, Permitted Users who do not deposit Recyclables at the Transfer Station on the same day that they deposit Garbage shall

be deemed not to be recycling for that day. All such deposited materials shall be deemed to be unseparated materials. Transfer Station employees shall record the volume or weight of the unseparated materials placed into the Transfer Station hopper and shall report the amount to the Town Office for billing. Permitted Users who do not have Transfer Station billing accounts at the Transfer Station shall pay the per pound, per cubic yard, or per bag fee set forth in this Attachment B, as determined in the sole discretion of the Transfer Station employees. Payments at the Transfer Station shall be made by cash or check prior to dumping.

B3.8 Dumping Fees for Waste Haulers Who do NOT deposit the Minimum %R.

B3.8.1 For Waste Haulers, monthly %R shall be calculated in accordance with Sections B.3.5.1 or B.3.5.2, as appropriate, for each day of the calendar month that Waste Haulers deposit Recyclables at the Transfer Station.

B3.8.2 The monthly shortfall of Recyclables, if any, shall be calculated as follows:

(a) Calculate %R by Volume

Example: Sum of G = 203 cubic yards
Sum of R = 53 cubic yards
G + R = 256 cubic yards
 $\%R = 53/256 = 20.7\%$ (which is less than 30%)

(b) Calculate Shortfall Fee based upon the example by Volume

$30\% (G + R) = .3(256) = 76.8$ Cubic Yards
Shortfall = 76.8 cubic yards minus 53 cubic yards = 23.8 cubic yards

In this example if the Solid Waste is uncompacted, it is billable at the rate of \$13.50 per cubic yard. The shortfall fee would $\$13.50 \times 23.8$ cubic yards = \$321.30.

(c) Calculation of %R by Weight

Example: Sum of G = 66,000 pounds
Sum of R = 8,800 pounds
G + R = 74,800 pounds
 $\%R = 8,800/74,800 = 11.77\%$ (which is less than 18%)

(d) Calculate Shortfall Fee based upon the example for Weight

$18\% (G + R) = .18(74,800) = 13,464$ pounds

Shortfall = 13,464 pounds minus 8,800 pounds = 4,664 pounds

In this example the shortfall fee would $\$0.06/\text{pound} \times 4,664$
pounds = \$279.84

B3.9 Solid Waste from Public Schools

With reference to A4.1, Transfer Station Employees, in their sole discretion may permit Solid Waste to be deposited at the Transfer Station, which has been collected from public schools located in Waldoboro or one of the Partners and from which Recyclables, Garbage, CDD, Universal Waste, and Bulky Waste have not been properly separated and/or sorted. Such deposits of Solid Waste shall incur the dumping fees for each applicable category of Solid Waste set forth in this Attachment B. Calculation of the fee for public school Solid Waste deposited into the compactor shall be in accordance with Section B3.7.1.

B4. Complaints (Section 2.4.1.4). All complaints resulting from non-compliance with, or lack of understanding concerning, this Ordinance shall be directed, first, to the WTS Manager and, if necessary thereafter, to the Transfer Station Committee. All complaints to the Transfer Station Committee must be in writing on the Complaint Forms available at the Waldoboro Town Office.

B5. Violations of this Ordinance (Pursuant to Sections 2.3.5.2, 2.3.5.4, 2.3.6.2, 2.3.6.4, and 2.3.6.8)

B5.1. Enforcement for Littering (Sections 2.3.5.4 and 2.5.3 of the Ordinance). Anybody caught littering or illegally dumping any kind of Recyclable, CDD, Universal or Bulky Waste, or Garbage will be prosecuted.

B5.2. Solid Waste and Health (Section 2.1 of the Ordinance). The Waldoboro Code Enforcement Officer shall investigate any waste-related problem brought to his or her attention and shall call for police assistance if the Code Enforcement Officer believes such assistance is warranted.

B5.2.1. Removal of Solid Waste for Health Reasons. The Waldoboro Code Enforcement Officer shall serve a notice of violation to any Resident or property owner found to be accumulating Solid Waste or Unacceptable Materials, which the Waldoboro Code Enforcement Officer deems to be injurious to public health or safety. The Solid Waste or Unacceptable Materials must be removed and properly disposed of promptly upon service of the

notice. If the offending Solid Waste or Unacceptable Waste has not been removed, the Waldoboro Code Enforcement Officer shall, upon the consent of the property owner or Resident, arrange for the removal of the waste and shall bill the offending party for all removal costs. If consent is not given to remove the waste, or if removal costs are not paid in a timely fashion, the Board may pursue any required legal action to provide for the removal of the Solid Waste and/or Unacceptable Waste and/or to collect removal costs.

B5.2.2. Multi-unit Properties, including Rented or Leased Properties. Owners of multi-unit, rented, or leased properties must provide a location for the temporary storage of Solid Waste until a Waste Hauler or other person removes it and lawfully disposes of it. Proper storage does not include hallways or the interiors of tenants' living quarters or common public areas, whether located inside or outside of the premises. Proper storage does include garages, outside storage sheds, covered dumpsters, and covered waste receptacles. Owners of multi-unit properties, including rented or leased properties, may allow tenants to dispose of their Solid Waste at the Transfer Station; however, the property owner must provide a location for the storage of such Solid Waste until such time as it is removed for disposal. Failure to provide and/or use proper storage shall constitute just cause for the Waldoboro Code Enforcement Officer to follow the procedures set forth in this Section B5. The owner of a multi-unit property, or a rented, or leased-property shall be subject to the same sanctions if the tenant does not dispose of his or her Solid Waste in a timely manner.

B5.3. Other Fines and Sanctions.

B5.3.1. Inappropriate Use of Transfer Station and/or Landfill (Pursuant to Section 2.3.1, 2.3.2, 2.3.4 and 2.3.5.3 of the Ordinance). Any Resident, Resident Business, Permitted User or any other person or entity throwing unacceptable materials into the Transfer Station compactor or Landfill or otherwise inappropriately disposing of Solid Waste at the Transfer Station or the Landfill or failing to recycle and/or separate Recyclables as required by this Ordinance shall be penalized as follows:

First Offense: Verbal Warning.

Second Offense: Written Warning from the WTS Manager.

Third Offense: A Fine of \$250.00. Failure to pay the fine shall constitute a civil violation. The Transfer Station may recommend to the Board, and the Board may instruct the Waldoboro Town Manager the pursuit of legal action to recover fines not paid within 30 days.

Fourth Offense: Suspension or revocation of all rights to use the Transfer Station and Landfill.

B5.3.2. Workplace Violence/Unacceptable Behavior (Pursuant to Sections 2.5.2 and 2.5.3). The Town of Waldoboro is responsible to provide a safe work environment for its employees. Workplace violence shall be deemed to constitute a threat to the personal safety, security and well being of all Transfer Station employees and to the smooth and efficient operation of the Transfer Station. Workplace violence includes, but is not be limited to, foul language, threats, threatening behavior, taunting, bullying, verbal abuse, an intimidating presence, harassment of any nature such as being sworn at or shouted at, or any physical assault. For purposes of this Ordinance, workplace violence shall also be defined as the failure of any Permitted User to follow the directives or instructions of any Transfer Station employee. Any Transfer Station employee whose directives or instructions are not followed or who is subjected to workplace violence as herein defined shall immediately take steps to protect himself and the other Transfer Station employees and to report such behavior to the WTS Manager and to the police. The WTS Manager shall immediately submit a written complaint to the Town Manager and to the union representing the employee, if applicable. The complaint shall describe the act of workplace violence, indentifying the time, place, and nature of the incident, any witnesses, and the identity of the person or persons responsible. The responsibility for resolving issues of workplace violence shall lie with the Waldoboro Town Manager, the WTS Manager, the affected employee, and the person accused.

B5.3.3. Penalties and Fines. (Pursuant to Section 2.5.3) Permitted Users who fail to abide by any of the terms and conditions of this Ordinance, including failure to pay any fees when due, shall be subject to the following penalty and, where applicable, shall pay the following fine:

B5.3.3.1. Penalty. Loss of right to use the Transfer Station.

B5.3.3.2. Failure to Cover Loads: \$250.00 for each offense.

B5.4. Deposit of Fines. All fines shall be payable to the "Town of Waldoboro". The Waldoboro Tax Collector or Finance Director shall deposit all fine proceeds into the Transfer Station fund.