

ATTACHMENT B

Fee Schedule

Fines, Penalties and Sanctions

(Amended and Re-Stated as of March 26, 2014)

Approved by the Waldoboro Board of Selectmen April 22, 2014

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.

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
If by weight	There will be a per pound charge after the installation of scales

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
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 & 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

*("Other wood" includes painted wood, stained wood, pressure treated wood, plywood, OSB, 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 them to the WTS Manager in accordance with Section A4.4. Until such time as the Transfer Station has scales, this Ordinance gives the Transfer Station employees discretionary authority reasonably to estimate whether the volume of Recyclables that Permitted Users deposit into the Transfer Station Compactor are meeting recycling goals. –Transfer Station employees must exercise their discretionary authority fairly to all Permitted Users.

B3.2 Measuring Volumes of Garbage (G), Recyclables (R) and Percentage of Recyclables (%R).

B3.2.1 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

B3.2.2 Measure to estimate (or weigh) the aggregate volume of the remaining Garbage and Recyclables

B3.2.3 Remove the Recyclables (R)

B3.2.4 Measure to estimate (or weigh) the volume of the Garbage that remains (G)

B3.2.5 Calculate R as: $(R+G) - G$ (Recyclables equal Recyclables plus Garbage minus Garbage).

B3.3 Calculation of Recyclables Percentage (%R)

B3.3.1 %R for Truckloads of deposited Solid Waste: 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
 $\%R = 50/(100 + 50) = 33.3\%$

B3.3.2 $\%R$ 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.

B3.4 Minimum $\%R$. 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 and in order to ensure the purposes of this Ordinance as set forth in Article 1.2 are achieved.

B3.5 Dumping Fees for Permitted Users Who do NOT Recycle.

B3.5.1 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

B3.5.2 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 billing accounts at the Transfer

Station shall pay by cash or check prior to dumping at the applicable dumping fee, as determined in the sole discretion of the Transfer Station staff.

B3.5.3 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 a proratable mixture of the two. Dumping fees for the relative portions uncompacted and compacted materials shall be assessed in accordance with Section B3.5.1.

B3.6 Dumping Fees for Waste Haulers Who do NOT deposit the Minimum %R.

B3.6.1 For Waste Haulers, monthly %R shall be calculated in accordance with Section B.3.2 for each day of the calendar month that R is deposited at the Transfer Station.

B3.6.2 The monthly shortfall of R, if any, shall be calculated as follows:

(a) Calculate %R

Example: Sum of G = 255 cubic yards
Sum of R = 43 cubic yards
G + R = 298 cubic yards
 $\%R = 43/298 = 14.43\%$, which is less than 30%

(b) Calculate Shortfall based upon the example

$30\% (G + R) = .3(298) = 89.4$ Cubic Yards
Shortfall = 89.4 cubic yards minus 43 cubic yards = 46.4 cubic yards

In this example, assuming the Shortfall is uncompacted, it is billable at the rate of \$13.50 per uncompacted cubic yard. The billable amount would be \$626.40.

B3.7 Solid Waste from Public Schools

With reference to A4.1, Solid Waste, 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 may, if permitted in the sole discretion of the Transfer Station Employees, be deposited at the Transfer Station. Such deposits of Solid Waste shall incur the dumping fees for each appropriate category of Solid Waste set forth in this Attachment B.

B.4 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 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 ~~the~~ public health ~~and~~ 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 timely paid, the Board may pursue court or other 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-Family Properties or Rented or Leased Properties. Owners of multi-family, ~~or~~ rented, or leased properties must provide a location for the 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. Proper storage does include garages, outside storage sheds, covered dumpsters, and covered waste receptacles. Owners of multi-family dwellings, ~~or~~ 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 B6. The owner of the multi-family dwelling, or rented, or leased-property shall be subject to the same procedures 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 to pursue court action to recover fines not paid within 30 days.

Fourth Offense: Suspension or revocation of rights to use the Transfer Station and Landfill. The Transfer Station Committee shall hold a public hearing to determine the facts. If the facts warrant, the Transfer Station Committee may, in its sole discretion, issue a warning or suspend or revoke the offending user's rights to use the Transfer Station and/or 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 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, and 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, to the Chairman of the Transfer Station Committee 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 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. The WTS Manager shall notify the Transfer Station Committee in writing of the terms of the resolution. The Transfer Station Committee's only role after receiving such written notification shall be to conduct a public hearing to determine, by majority vote, whether or not the person's right to use the Transfer Station should be continued, suspended or revoked. The Transfer Station Committee's decision shall be final and must be provided within 15 days of the Transfer Station Committee's receipt of the WTS Manager's notification.

B5.3.3. Penalties and Fines. (Pursuant to Section 2.5.3) Permitted Users who fail to abide by any term of the 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. Revocation shall occur only after a hearing before the Transfer Station Committee to determine the facts and the reasonableness of the penalty in light of the facts.

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.

Certification of Municipal Officers

Craig Cooley

Ronald Miller

Attest to all:

James Bodman

Linda-Jean Briggs, Town Manager

Theodore Wooster

Carl Cunningham

Attest: A true copy as certified to me by the Municipal Officers of Waldoboro, Maine on April 8, 2014.

Linda E. Perry, Town Clerk

Town Seal