

RECYCLING ORDINANCE for the TOWN OF CHESTERVILLE

1. Title and Purpose: This ordinance shall be known as the Recycling Ordinance for the Town of Chesterville. This ordinance has several purposes: to save tax dollars, to preserve and protect environmental resources, to protect the health, safety, and welfare of the public, to enhance the quality and character of life in the Town, and to improve efforts to recover and reuse valuable resources currently being wasted.

2. Scope: This ordinance applies to all domestic, commercial, and industrial producers of solid waste in the Town of Chesterville.

3. Authority: This ordinance is adopted pursuant to the Home Rule powers granted in the Maine Constitution, 30-A M.R.S.A. section 3001 et seq., and 38 M.R.S.A. section 1301 et seq.

4. Definitions: The definitions set forth in 38 M.R.S.A. §1303-C apply to this ordinance and are incorporated herein. Any word not otherwise defined shall have its ordinary meaning.

5. Recycling Requirement: All recyclables shall be separated out and prepared for collection by a contractor designated by the Selectmen of the Town of Chesterville. Such recyclables may include but are not limited to:

- 1. Clear glass containers
- 2. Brown and green glass containers
- 3. Number 2 (HDPE) plastic
- 4. Tin & steel cans
- 5. Aluminum
- 6. Newspapers
- 7. Brown corrugated cardboard

The Selectmen or their duly appointed agents will publish and distribute details regarding the preparation of such recyclables to all Chesterville residents.

6. Recycling Facility at Landfill: The Town shall maintain the recycling collection roll-off container at the town landfill for the convenience of town residents. All residents not served by roadside collection shall bring their wastes to the landfill, with recyclables prepared and separated in accordance with the rules published by the Selectmen.

7. Administration and Enforcement: The Selectmen or their duly appointed agents shall administer and enforce this ordinance. The Selectmen shall adopt written regulations governing preparation and collection of recyclables and other wastes, collection schedules, containers to be used, fees to be charged, and criteria for accepting or rejecting wastes for collection. The Selectmen are hereby granted the authority to modify the requirements for preparation, separation, and collection of recyclables in response to changes in the Sandy River Recycling Association's or any other association's rules, the contractor's requirements, or other market conditions.

The Selectmen further have the authority to negotiate and contract with any person, corporation agency, partnership, or other entity for the disposal of recyclable materials.

8. Violations: Violations of this ordinance shall be enforced in accordance with the provisions of 30-A M.R.S.A. § 4452 as land use violations, and penalties set forth therein shall apply to violations of this ordinance. In any case, the minimum penalty shall be \$100.00 and the maximum penalty shall not exceed \$25,000.00.

9. Power to Grant Variances and Waivers: If a person feels that extraordinary and unnecessary hardship has resulted from the strict compliance with the provisions of this ordinance, he/she may go to the selectmen to appeal any penalties which may be due.

10. Amendments: This ordinance may be amended as provided in 30-A M.R.S.A. § 3004 (4).

11. Severability and Effective Date: If any provision of this ordinance is found by a court of competent jurisdiction to be unenforceable, the remaining provisions shall continue in full force and effect. This ordinance shall become effective when adopted by a majority of the voters at any regular or special town meeting.