

Town of Mercer

Solid Waste Disposal Ordinance

Section 1

Purpose

The town of Mercer has an obligation to operate a Solid Waste Disposal System for its inhabitants. The rapidly increasing cost of operating such a system and the mandates to recycle from the state of Maine require that a disincentive to dispose of any more solid waste than is absolutely needed be created. Furthermore, a clear definition of acceptable and unacceptable waste is needed. Item fee schedules for municipal solid waste, white goods, brown goods, and tires are also needed.

Therefore, this Ordinance creates a solid waste system based on user fees for municipal solid waste, white goods, brown goods, and tires; the separation of construction debris, commercial waste and household furnishings from the Town of Mercer's waste stream. Combining these changes with an offer of free recycling of all clean, properly separated recyclables creates a strong disincentive to dispose and an incentive to recycle.

Section 2

Authority

This ordinance is adopted pursuant to Home Rule powers granted in Article VIII-A of Maine Constitution, Title 30, M.R.S.A. Sections 1917, and Title 38, M.R.S.A. Section 1305.

Section 3

Definitions

A. Waste Transfer Station

For the purpose of this Ordinance shall mean the Town of Mercer Waste Transfer Station built and operated on a portion of property at the Old Town dump.

B. Municipal Solid Waste

Discarded or useless and unwanted materials generated by typical, non-commercial, residential activity, exclusive of any material or waste designated "unacceptable wastes" by this Ordinance.

C. Unacceptable Wastes

Unacceptable wastes are materials which would impair or disrupt Transfer Station operations or which are prohibited by State Regulations from being accepted at the Transfer Station. The following is a list of unacceptable wastes:

1. Junked or abandoned vehicles.
2. Asbestos and asbestos containing wastes.
3. Contaminated soil.
4. Liquid wastes.
5. Sewage treatment plant, paper mill or tannery sludge's.
6. Dredge spoils.
7. Dead animals.

8. Medical or other potentially infectious or pathogenic waste.
9. Sand blasting grit.
10. Inert fills: clean soil, rocks, bricks, and cured cement.
11. Stumps and grubblings.
12. Agricultural wastes.
13. Septage.
14. Industrial process wastes, including fly ash and bottom ash.
15. Hazardous wastes, except for small quantities of household hazardous waste mixed with general refuse.
16. Commercial Solid Waste.
17. Other wastes designated as unacceptable by the Town of Mercer or State Solid Waste Management Ordinances.

D. Commercial Solid Waste

Discarded or useless and unwanted materials generated by a commercial enterprise in the course of its commercial activity.

E. Acceptable Waste

1. Municipal Solid Waste in a "Town of Mercer" bag for which a user fee has been paid.
2. Tires for which a user fee has been paid.
3. White goods for which a user fee has been paid.
4. Clean wood waste and brush.
5. Light iron waste, bicycles, bed frames, light scrap, etc.
6. **!!NEW!! The Municipal Officers MAY modify the list of Acceptable Wastes in Section 3E by adding or removing specialty items.**

F. Recyclables

Items from which the Municipal Solid Waste stream which can be and are recycled through the Town of Mercer recycling program.

G. Solid Waste

All unwanted or discarded material without sufficient liquid content to be free flowing.

H. White Goods

White goods will include, for the purposes of this Ordinance; stove, refrigerators, freezers, hot water tanks, washers, dishwashers, trash compactors and clothes dryers.

I. Brown Goods

Brown goods will include for the purpose of this Ordinance; televisions, videocassette recorders, large radios, stereos, and other large electronic devices.

J. Brush

Limbs, twigs and lightweight slash generally under 3" in diameter.

K. Clean Wood Waste

Wood, boards, dimensional lumber and paneling is free of paint, toxic sealants, preservatives (no pressure treated wood) or other contaminants.

Section 4

Incentives

- A. The incentive of free recycling of all clean, properly sorted and properly processed recyclables shall be offered to users of the Town of Mercer Solid Waste System under the authority of this Ordinance.

Standard sized trash bags with the name and seal of the Town of Mercer on them will be available, for \$1.00 each, at the Town Office and the Waste Transfer Station. This is a user fee that will be charged for all municipal solid waste deposited at the Town of Mercer Waste Transfer Station.

- B. A user fee of \$2.00 per tire of tires less than 20" size will be charged, at the Waste Transfer Station, on all tires deposited there.
- C. A user fee of \$5.00 per tire more than 20" to 22 ½" size³.
- D. A user fee of \$10.00 per tire will be charged for grader, skidder, large tractor, or similar over-sized tires.
- E. A user fee of \$10.00 per item will be charged on all white goods.
- F. A user fee of \$5.00 per item will be charged for all brown goods.
- G. **!!New!! The Municipal Officers MAY adjust the costs of disposal of specialty items described in 4B through 4F.**
- H. All large household items (furniture for example), demolition and construction debris and other bulky solid wastes not accepted at the Town of Mercer Waste Transfer Station will be directed to the Waste Management Inc. facility in Norridgewock, where a per pound fee will be assessed for disposal. This fee will be paid by the Town of Mercer under an arrangement with Waste Management Inc. and subsequently billed to the person sending the waste.
- I. Commercial Waste, as defined by this Ordinance, will NOT be accepted at the Town of Mercer Waste Transfer Station.

Section 5

Penalties

- A. Any municipal solid waste brought to the Waste Transfer Station that is not in a bag bearing the Town of Mercer seal for which a user fee has been paid, will not be accepted for disposal.
- B. Any tires, white goods or brown goods, which are not accompanied by the user fees outlined in this Ordinance, shall not be accepted at the Town of Mercer Waste Transfer Station.
- C. Any person who violates the provisions of this Ordinance shall be punished by a fine not to exceed \$1,000.00 for each violation.

!!NEW!! Section 6

Before making any changes under Sections 3E6 or 4G, the Municipal Officers shall post a notice of the proposed changes for three weeks prior to the effective date in three locations.

!!NEW!! Section 7 Section 6

Effective Date

The effective date of this Ordinance is June 1, 1994.

!!NEW!! Section 8 Section 7

Validity

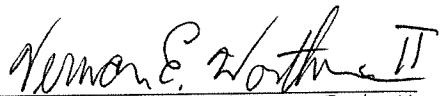
Should any section or provision of this Ordinance be declared invalid by as court of law, such decisions shall not invalidate any other section or provision of this Ordinance.

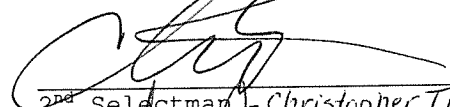
The effective date of this revised Ordinance is March 15, 2009.

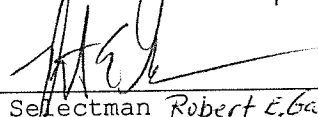
ATEST: A TRUE COPY

Solid waste Disposal Ordinance
For The Town of Mercer

SELECTMEN OF MERCER:


1st Selectman - Vernon E. Worthen II


2nd Selectman - Christopher Tibbets


3rd Selectman Robert E. Gardner

ATTEST: A TRUE COPY:


Town Clerk - Yolanda Violette
Mercer