

Town of Searsport Recycling Ordinance

Section I Authority

A. This ordinance is adopted pursuant to Home Rule Powers as granted in the Maine Constitution in Title 30-A M.R.S.A. Section 3001 et seq.; 3351 et seq. and in Title 38 M.R.S.A. Section 1305 et seq.

Section II Title and Purpose

A. This ordinance shall be known as the Recycling Ordinance for the Town of Searsport. The ordinance has several purposes: To preserve and protect environmental resources, to reduce the cost of solid waste disposal, to generate a modest amount of revenue and to enhance the quality and character of life for the people of Searsport.

Section III Applicability

A. This ordinance shall apply to all users of the Searsport Transfer Station including residents, commercial/industrial establishments and commercial haulers.

Section IV Administration

A. The Board of Selectmen or its legal appointees shall have the authority to administer and to enforce this ordinance. The Board may, when necessary, adopt rules and regulations governing waste inspection, hours of operation, fees and the day to day operation of the transfer station/recycling facility. The Board shall have the authority to negotiate and contract with any person or corporation for the purchase or disposal of the recyclable materials.

Section V Separation of Recyclable Material

A. Each person using the Town of Searsport Transfer Station/Recycling Facility, including all commercial haulers and businesses, shall be required to separate from the normal waste stream, all items determined to be recyclable, by category, as designated in the Rules and Regulations promulgated by the Board of Selectmen. Each separate category of recyclable material shall be properly prepared and disposed of in accordance with the said Rules and Regulations.

B. The Transfer Station attendant shall have the authority to deny access to the Transfer Station/Recycling Facility to any person who refuses to comply with the above.

Section VI Definitions

A. In general, words and terms used in the Ordinance shall have their customary dictionary meaning. More specifically, certain words and terms used herein are defined as follows:

1. Commercial Hauler -Any user, either individual or company, which hauls materials to the transfer station for a fee.
2. Corrugated Paper -Clean, dry corrugated cardboard boxes.
3. Glass -Clean glass bottles, jugs, jars, etc. separated by color: clear, green and brown. Glass, in this instance, does not include window glass.
4. Newspaper -Dry, clean newspapers bundled or tied with string or twine. (Does not include glossy inserts, magazines, wax paper, cardboard, etc.)
5. Transfer Station Attendant(s) -The Selectmen of the Town of Searsport or the Town employees or agents authorized by said Selectmen to act in their stead at the Transfer Station site.
6. White Goods -Household appliances including, but not limited to, washing machines, clothes dryers, stoves and refrigerators.

Section VII Wastes Prohibited.

1. Hazardous/Toxic Waste
2. Waste generated outside of the Town of Searsport
3. Asbestos
4. Pathological Waste
5. Sewer treatment plant/septic residue
6. Tree stumps, abandoned or junked vehicles.

Section VIII Dump Picking

A. All materials deposited at the transfer station become the property of the town of Searsport. Anyone removing any material from the site without the expressed consent of the Board of Selectmen shall be considered to be in violation of this ordinance.

Section IX Enforcement

A. The transfer station attendant shall have the authority to refuse the use of the facility to any person, corporation or other user who does not conform with the provisions of this ordinance.

Section X Penalties

A. Whoever violates any of the provisions of this ordinance shall be punished by a fine of not less than fifty dollars (\$50.00) and not more than one hundred fifty dollars (\$150.00) for each day of the violation plus costs of enforcement, including reasonable attorney's fees, which fare and costs shall be recovered on complaint to the use of the Town. The provision shall not preclude the Board of Selectmen from simultaneously seeking appropriate equitable relief.

B. Licensed commercial haulers who violate any of the provisions of this ordinance may, in addition to the fine above, be punished by revocation of their license for up to two (2) years and forfeiture of all license or permit fees.

C. Any authorized user who violates any provision of this ordinance or of the Rules and Regulations promulgated pursuant hereto may, in addition to the above, be punished by a revocation of the right to use all Disposal Facilities for up to two years and forfeiture of all license and permit fees.

Section XI Amendments

A. This ordinance may be amended by vote at the annual Town Meeting or at any Special Town Meeting.

Section XII Severability

A. Should any section of this ordinance be declared invalid by the court, such decision shall not invalidate any other section or provision of this ordinance.

Section XIII Effective Date

A. This ordinance shall become effective when adopted by the voters of the Town of Searsport.

I, Suzan M. Cotter, Town Clerk of Searsport, attest that this is a true copy of the Recycling Ordinance of the Town of Searsport.

Suzan M. Cotter, Town Clerk

This ordinance was adopted by the voters of Searsport at the Town Meeting held on Saturday, March 13, 1993.

Amended at a Town Meeting on March 7, 2015

This is a true and attested copy by: Deborah Plourde
Deborah Plourde, Town Clerk