

ADOPTED MARCH 12, 2016

TOWN OF FRANCESTOWN
MANDATORY RECYCLING and TRANSFER STATION ORDINANCE

The Town hereby adopts the following Ordinance for the operation of its public solid waste/recycling facility.

1. PURPOSE:

The purpose of this Ordinance is to:

- Provide for the disposal of Solid Waste in a safe, environmentally sound and economic manner.
- Provide adequate facilities for the transfer of wastes to proper disposal sites.
- Provide facilities for the reception of recyclable materials to be processed and sold to offset the cost of solid waste disposal.
- Establish mandatory recycling for all users of the Francestown solid waste/recycling facility.
- Recycling of designated materials is mandatory and applicable to all users of the Transfer Station/Recycling Center facilities.

2. OPERATION:

- Operation of the Transfer Station/Recycling Center will be supervised by the Board of Selectmen.
- Equipment will be operated only by authorized personnel.
- Hazardous waste will not be accepted at the Transfer Station/Recycling Center, except for clean, used motor oil which will be deposited in designated containers for use as furnace fuel. Household Hazardous Waste collections will be scheduled at a designated location, generally bi-annually.
- Waste will only be accepted during designated hours.
- Specific requirements for the separation of recyclables will be published as an appendix to this Ordinance which may be revised according to market conditions and will be distributed to all users.
- Only residential material collected within the limits of the Town of Francestown shall be disposed of at the Transfer Station/Recycling Center.

3. ADMISSION:

- No person will be permitted to use the facility without a current Transfer Station/Recycling Center/Beach vehicle permit (sticker). The Full time and Seasonal residents can obtain a sticker from the offices of the Town Clerk or Selectmen. Permits will be issued by the Town Clerk at the time of motor vehicle registration.

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- The stickers shall be affixed to the lower left corner of the vehicle windshield where it will be clearly visible to the Transfer Station/Recycling Center attendant.
- Commercial haulers will not be permitted to use the facility.
- The facility is open to the public only during published operating hours and all municipal solid waste and recyclables shall be disposed of only at authorized locations within the facility. Any unauthorized person entering the Transfer Station/Recycling Center outside of published open hours is guilty of trespass and shall be charged with violating the terms of this Ordinance.
- Anyone who qualifies for admission and would like to use the facility for conducting polls, presenting a petition, campaigning, or for any other purpose that is within the public's best interest, shall do so in a place and manner, that protects the public safety and the safety of the employees, in accordance with rules adopted by the Board of Selectmen which shall be duly posted.
- Solicitors other than those described above and for commercial purposes shall not be allowed to conduct such activities within the Transfer Station facility. Anyone refusing to comply with this ordinance will be asked to leave, if they refuse the Francestown Police Department will be notified and the person will be removed and may be subject to further enforcement, including the issuance of a summons and notice of fines, as directed by the Board of Selectmen as provided in RSA 149-M:17, II(b) and RSA 502-A:19-b.

4. COMPACTOR STATION:

- Only solid waste not designated for recycling or other specific disposal will be deposited in the compactor.
- Only authorized attendants will be permitted to operate the compactor.

5. RECYCLING FACILITY:

- Specific guidance, as approved by the Board of Selectmen, for items to be recycled will be published as an appendix to this Ordinance.
- All items submitted for recycling must be rinsed clean and dry.
- Only authorized attendants will be permitted to operate equipment in the Recycling area.
- Any item deposited at the recycling center becomes the property of the Town of Francestown.
- No removal of any items will be permitted without attendant permission. This includes all electronics, metals, wood, or other commodities. Items at the swap shop are not included.

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6. FEES:

- Items such as tires, refrigerant containing appliances, construction debris or bulky items may require the payment of a fee for each item prior to depositing them at the Transfer Station/Recycling Center. The Selectmen are authorized to set appropriate fees for disposal of unique items. The fees will be posted and subject to change periodically to reflect the changing cost of disposal.
- By accepting the numbered permit, which conveys the privilege of using the Transfer Station/Recycling Center, the registered holder of the permit agrees to be liable to the Town for the proper use and all fees assessed against the respective numbered permit.

7. AUTHORITY:

- The Board of Selectmen are hereby authorized, without holding a hearing, to adjust the operating hours, separation procedures and recycling requirements as well as the disposal and permit fees to reflect the costs of operation and the ever changing market for recovered resources. As new opportunities for recycling are discovered they will be added by action of the Board of Selectmen.
- The Transfer Station/Recycling Center attendants have the authority to refuse the use of the facility to any person, business, or other user who is misusing the facility, failing to comply with, or is otherwise violating this Ordinance, or who does not have the proper permit, or is using a vehicle whose numbered permit has unpaid use fees outstanding.

8. WASTE DISPOSAL COMMITTEE:

- The Board of Selectmen has established a five member Waste Disposal Commission. Initial membership consists of two (2) 3-year terms, two (2) 2-year terms, and one (1) 1-year term. Appointments to the membership shall be made by the Board of Selectmen on an as needed basis in the case of vacancies or expired terms.
- The charge to the Commission is to make recommendations to the Board of Selectmen regarding the operation of the Transfer Station/Recycling Center and the implementation of mandatory recycling as passed by Warrant Article at the 1991 Town Meeting.
- The Commission or its individual members are not authorized to make unilateral decisions concerning personnel or the operation of the Transfer Station/Recycling Center.
- The Board of Selectmen retains the right to withdraw appointments to the Commission at any time.

9. UNACCEPTABLE MATERIALS:

The following materials will not be accepted at the Transfer Station/Recycling Center.

- Hazardous waste (except clean, used motor oil).
- Commercial Waste

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10. BURN PILE:

- The Burn Pile is specifically licensed by the State of New Hampshire for the disposal of brush and untreated, unfinished wood, less than 5 inches in diameter. Manufactured wood products such as plywood, chipboard, pressed board and fiberboard are not accepted.
- Use of the burn pile is restricted to specific hours which are published, and generally separate from normal Transfer Station/Recycling Center operating hours.
- Un-authorized dumping at the burn pile may result in a loss of facility privileges.

11. SWAP SHOP:

- The Swap Shop has been established to provide an exchange point for clean, useable items and books.
- Donors to the Swap Shop will check with a Transfer Station/Recycling Center Attendant before leaving anything.
- The Board of Selectmen may authorize volunteers to staff the Swap Shop.
- Those volunteers are authorized to accept or reject any item that is offered for the Swap Shop.

12. PENALTY

Any person who violates this ordinance or any portion of this ordinance shall be subject to the following fines and penalties in accordance with RSA 149-M:17, II(a) & (b) and RSA 502-A:19-b

- 1st Offense: Written Warning
- 2nd Offense: \$25 plus any documented disposal cost
- 3rd offense: \$75 plus any documented disposal costs

All fees and disposal costs will be credited toward the recycling income account in the general Fund.