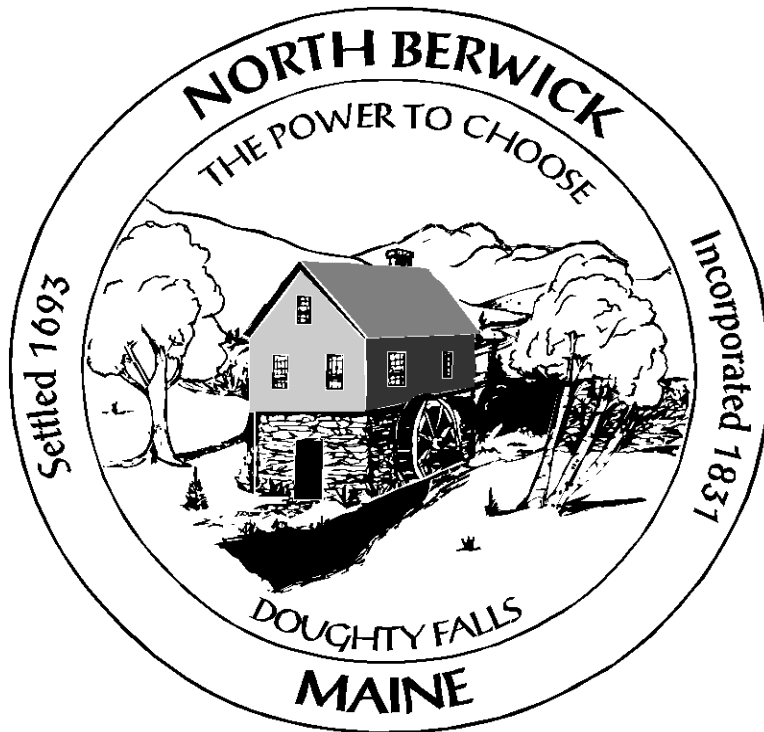


TOWN OF NORTH BERWICK

PAY AS YOU THROW

PROGRAM REGULATIONS



“Save As You Reduce and Recycle”

These regulations will govern the Town of North Berwick Pay as you Throw program.

Article 1 – Definitions

PAYT: Pay As You Throw

Town: Town of North Berwick

Public: Residents of North Berwick

Employee: Town of North Berwick employees

Bags: pay as you throw bags

Residential solid waste: municipal solid waste generated by residential households or dwelling units; it includes but is not limited to food scraps, garbage, trash, refuse, and junk. Specifically excluding unacceptable waste as defined by Solid Waste Flow Ordinance .

Transfer Station: the municipal facility located in North Berwick for the collection and processing of municipal solid waste, for eventual movement to another waste facility.

MERC: Maine Energy Recovery Corporation

Bulky Waste: Stoves, refrigerators, water tanks, mattresses, box springs, washing machines, furniture, tires and other waste materials accepted at the North Berwick Transfer Station, not including construction and demolition debris and wood and yard waste.

Construction and Demolition Debris: Debris resulting from construction, remodeling, repair, or demolition of structures, excluding asbestos and other special wastes. Sheetrock and shingles are not considered construction and demolition debris under this regulation.

Commercial Waste: Solid waste generated by stores, offices, restaurants, warehouses, multi-unit condominiums and apartment buildings within the Town.

Industrial Waste: Solid waste generated by manufacturing facilities within the Town.

Private Contractors: A person, firm, or corporation that accumulates, collects, stores, transports, or disposes of more than 1 ton of waste per month.

MSW: municipal solid waste

Article 2 – General Provisions

Section 1 - Program

This program will be known as the North Berwick Pay As You Throw.

Section 2 - Object

The purpose of this regulation is to establish a user fee system for disposal of municipal solid waste. Solid waste is a primary health, safety and environmental concern to all residents, and it is essential that the community develop a fair, efficient and cost-effective solid waste disposal program. The user fee plan promotes equity and fairness by linking the cost of waste disposal to the amount of waste actually generated by a person or household.

This regulation is adopted for the purpose of removing MSW costs from the town tax rate as well as to encourage the recycling of MSW to reduce the amount of tonnage sent to MERC.

Section 3 - Bag Information

There will be two bags to choose from:

33 gallon	\$1.50
15 gallon	\$1.00

Bags will be sold at local commercial establishments located in the Town of North Berwick.

Section 4 - Bag Distribution, Costs and Revenue

Each distributor will be contacted every week to ensure they have a supply of bags. The distributor may order as many packages of bags as they wish. The bags must be paid for at the time of delivery.

Cost per case (20 packages of 10) of bags:

33 gallon	– \$300.00
15 gallon	– \$200.00

Cost per pack (10) of bags

33 gallon	– \$15.00
15 gallon	– \$10.00

Section 5 - Administration

The Selectmen shall administer this regulation, and to this end shall have the following powers:

1. To adopt written rules for the day-to-day operation of the transfer station, including but not limited to hours of operation, inspection of materials delivered to the site, and sizes and types of solid waste containers allowed.
2. To designate where and when such bags will be available. All user fees shall be used to offset the costs associated with solid waste disposal.
3. To appoint and oversee personnel to maintain and operate the transfer station.
4. To review alleged violations of this regulation and to take (or authorize their duly appointed agents to take) appropriate action, including legal action, to enforce this ordinance.

Article 3 - Rules

Section 1 - Transfer Station

Only residential solid waste is allowed at the Transfer Station. All residential waste shall be in a PAYT bag in order to be disposed in the hopper. The bags must be tied shut. Only residents of the Town of North Berwick are allowed to dispose of waste at the Transfer Station. All vehicles disposing of waste at the Transfer Station shall be required to have a current Town of North Berwick Transfer Station Sticker attached to the vehicle. Failure to have the sticker attached to your vehicle will result in the inability to dispose of waste at the Transfer Station. Residents of the Town of North Berwick shall include landowners.

Commercial and Industrial Waste

All commercial and industrial business must contract with a Private Contractor to transport their waste to the MERC facility. No commercial or industrial waste will be permitted to be disposed of in the hopper at the Transfer Station.

Section 2 - Roadside Trash

Discarding of trash at the roadside is illegal. The Town is not liable for trash left beside the roads, but will help the landowner with the trash that has been left on their property. Anyone caught discarding trash on the roadside will be turned over to the North Berwick Police Department for littering.

Section 3 - Curbside Pickup and Private Contractors

All private contractors must be properly licensed by the Town of North Berwick pursuant to section IX of the Town of North Berwick Solid Waste Flow Ordinance in order to collect MSW within the boundaries of North Berwick. Private contractors are liable for trash they collect and must dispose of it properly. The Private Contractors will be billed for every ton of MSW brought to MERC by the Town of North Berwick in accordance to the fee schedule approved by the Municipal Officials of the Town of North Berwick plus \$2.00 administrative fee per ton:

(Fee established by Board of Selectmen per ton + \$2.00 Admin. Fee per ton) x amount of tons delivered to MERC = INVOICE

All invoices sent to the Private Contractor must be paid in full within thirty days of the date of invoice. Failure to pay the Town will result in a revocation of the company's ability to dispose of MSW under the Town's contract with MERC. In addition, the Town of North Berwick will use all means necessary to collect the debt.

Disagreement with Invoice:

Should a private contractor disagree with the Town's billing, the contractor should bring the discrepancy to the Town Manager's attention. If after the Town Manager has ruled on the invoice and the Contractor is still in disagreement with the invoice, they may appeal to the Board of Selectmen pursuant to Section XI of the North Berwick Solid Waste Flow Ordinance.

Dumpsters and content

The landowner and/or lessor of the dumpster is liable for their dumpsters and contents.

Article 4 – Recycled Items

All recycled items that the Town of North Berwick accepts at the Transfer Station will be **FREE OF CHARGE**. All residents and commercial businesses are encouraged to bring their recycled items to the Transfer Station.

The Town of North Berwick recycles the following items:
(List is subject to change based on available markets. The Town of North Berwick is dedicated to pursuing additional recycle markets.)

GLASS - Clean White, Green, and Brown glass with tops removed. (No Window Glass)

TIN CANS - Household food tin cans should be clean. (Latex Paint cans can go into compactor if paint is solidified.)

ALUMINUM CANS - Returnables and non-returnables accepted.

NEWSPAPERS &

PHONE BOOKS Color print as well as black & white newsprint shall be securely bundled. Do not mix junk mail, bags, cereal boxes, etc.

CORROGATED CARDBOARD Cardboard must be clean and dry with no wood attached. This does not include Cereal Boxes, Pizza Boxes, Poster Board or China or Taiwan made.

WASTE OIL - No water, gasoline or anti-freeze mix accepted.

SCRAP METAL: All metal items including car parts, appliances, metal roofing. There are fees for certain appliances such as refrigerators, Freezers, Air conditioners. Separate metal into steel, cooper, aluminum or brass if possible.

SWAP TABLE ITEMS: **One person's junk is another person's treasure.** If an item is useful, place on the swap table.

PACKING PEANUTS: Bring in bags or boxes.

CLOTHING: Clean and usable

JUNK MAIL: All Junk Mail or unused mail. For security reasons, please destroy bank statements or any other financial/confidential documents. Shredded junk mail accepted as mixed paper.

MIXED PAPER: White, colored, or computer paper. Shredded or otherwise. (No carbon paper) Pack all paper flat in bags, boxes or tied in bundles.

MAGAZINES: All magazines. Pack in bags, boxes or tied in bundles.

BOOKS: Bring in bags or boxes.

Article 5 – Bulky Waste

All residents of the Town of North Berwick as well as commercial businesses located in North Berwick may dispose of bulky waste at the Transfer Station. Bulky wastes will be charged according to the following fee schedule, fee is due at the time of disposal:

<u>Item</u>	<u>Fee</u>
Car Batteries	\$ 2.00
Sheetrock (sheet)	\$ 2.00
Tires (Under 15")	\$ 2.00
Tires (Over 15")	\$ 5.00
<i>Rims must be removed from tires.</i>	
Mattresses	\$10.00
Sofa	\$10.00
Sofa bed	\$15.00
Recliner	\$10.00
Chair	\$ 5.00
Door and Windows	\$ 5.00
Rugs 8x8 or smaller	\$ 5.00
Rugs 9x9 or larger	\$10.00
Toilets, sinks, Tubs	\$ 5.00
Shingles (Square)	\$10.00
Refrigerators, Freezers	\$15.00
Air Conditioners	\$15.00
<i>Remove all doors from refrigerators and freezers.</i>	
TV, computer monitor.	\$10.00
White goods-Stoves, microwaves, Dishwasher, washer, dyer etc.	\$ 5.00
20 # gas tank	\$ 2.00
Over 20# gas tank	\$20.00
Styrofoam (per bag)	\$ 1.00

All Bulky Waste Items not listed on the chart will be charged in accordance with the Furniture/Misc. Fee: Small Item, Medium Item or Large Item
(Amended July 1, 2002, October 2, 2001 and January 7, 2003)

Commercial Businesses must obtain a Commercial Transfer Station Permit from the Town in order to utilize the bulky waste area. The permit is free of charge and allows access to the bulky waste area but not the hopper area.

The Fee structure is designed to pass all costs, tipping and transportation, to the user disposing of the bulky waste.

Article 6 – Violations

Section 1 - Roadside Trash

Any person found to have littered the roadside or land of another person with MSW, construction and demolition debris, bulky waste, tires or any other trash will be prosecuted by the Police Department.

Section 2 - Trash and Health

The health officer has the right to investigate any trash related health problem reported to the town.

Any individual who is found to be accumulating solid waste in an unapproved location, which is deemed to be injurious to the public health and safety by the North Berwick Health Officer, will receive a written warning. The solid waste must be removed and properly disposed of in a timely fashion not to exceed seven days. If after seven days the solid waste has not been properly disposed of, the Health Officer may cause the removal of the solid waste. All costs associated with the removal of the solid waste will be billed to the property owner. Failure to pay the costs of the removal of the solid waste will constitute a lien against the real estate enforceable in the same manner as real estate taxes, including possible loss of the property for nonpayment.

Owners of multi family rental properties must provide a location in which solid waste may be properly stored until removed by a contracted solid waste removal company. Approved locations do not include interior hallways or within the tenants living quarters. Approved locations would include garages, outside storage sheds, dumpster and or waste receptacles with covers . Failure to provide a location to store solid waste until timely removal which results in a complaint being investigated by the Health Officer will result in the same process being followed as outlined above. Owners of Multi-family dwellings may allow tenants to dispose of their trash at the Transfer Station, however, a location for storage is still required. The owner is ultimately responsible if the tenant does not dispose of the trash in a timely manner.

Section 3 - Prosecution

Any person caught throwing unacceptable materials in the hopper, Bulky waste, or any other place at the Transfer Station will be prosecuted as follows:

First Offense	Verbal warning
Second Offense	Written warning
Third Offense	Loss of rights to the Transfer Station as determined by the Board of Selectmen

Article 7 – Validity

Section 1 - Validity

The validity of any section, clause, sentence or provision of this regulation shall not affect the validity of any other part of this regulation.

Article 8 – Regulation in Effect

Section 1 - Effective

This regulation will take effect on July 1, 2000.

Section 2 - Amendment

The North Berwick Board of Selectmen may amend this regulation as it deems necessary after holding a Public Hearing with at least 14 days prior notice published in a newspaper of daily circulation and posting the notice in at least two locations within the community, and the Transfer Station