

# Commercial Waste Rules and Regulations



## Town of York, Maine

**Most Recently Amended: May 11, 2015**

**Prior Dates of Amendment: April 5, 1996**

**Date of Original Enactment: April 22, 1991**

### ENACTMENT BY THE BOARD OF SELECTMEN

Date of the vote to enact/amend this Ordinance: May 11, 2015

Certified by the Town Clerk: May Anne Syme on June 19, 2015  
(signature) (date)

Adopted 4/22/91

## **Commercial Waste**

### **Rules and Regulations**

(Solid Waste & Collection, Recycling and  
Disposal Ordinance)

In accordance with Section 6.2 of the Solid Waste Collection, Recycling and Disposal Ordinance, the Town of York Board of Selectmen hereby resolves to establish guidelines for the collection, disposal and recycling of solid waste generated by commercial establishments and to adopt the following rules and regulations to govern the collection, disposal and recycling of solid waste by commercial establishments. These rules and regulations shall be entitled "Rules and Regulations to Govern the Collection, Disposal and Recycling of Solid Waste Generated by Commercial Establishments".

SOLID WASTE COLLECTION, RECYCLING AND DISPOSAL  
ORDINANCE  
RULES & REGULATIONS TO GOVERN THE COLLECTION AND  
DISPOSAL OF SOLID WASTE  
GENERATED BY COMMERCIAL ESTABLISHMENTS

SECTION 1.0 Requirement to Collect and Dispose of Solid Waste Generated  
by Commercial Establishments.

All Commercial Establishments are required to ensure that all solid wastes generated by or located on the premises of their Commercial Establishment t are properly collected, transported, and/or disposed in accordance with the provisions of the Town of York Solid Waste Collection, Recycling and Disposal Ordinance.

SECTION 2.0 Requirement to Use a Licensed Commercial Hauler to  
Collect, Transport and Dispose of Solid Waste

All Commercial Establishments are required to use a Commercial Hauler licensed by the Town of York to provide for the collection, transportation and disposal of solid waste generated by or located on the premises of any Commercial Establishment. The licensing of the Commercial Hauler by the Town shall comply with Sections 6.3 and 6.41 of the Town Solid Waste Collection, Recycling and Disposal Ordinance.

SECTION 3.0 Requirement to Use Town Provided Disposal Facility

All Commercial Establishments shall dispose of solid waste that is generated by or located on the premises of their Commercial Establishment at the Disposal Facility which is designated by the York Board of Selectmen. The designated Disposal Facility is the Turnkey Landfill located in Rochester, New Hampshire.

SECTION 4.0 Payment of Collection, Transportation & Disposal Costs

4.1 Collection and Transportation Costs. In accordance with Section 6.4.4 of the Town of York Solid Waste Collection, Recycling and Disposal Ordinance, the Town of York shall not be responsible for the operation or the cost of collection on and transportation of solid waste generated by or located on the premises of a Commercial Establishment.

4.2 Disposal Costs. In accordance with Section 6.4.5 of the Town of York Solid Waste Collection, Recycling and Disposal Ordinance, the Town of York shall apply tipping fees for Refuse generated by or located on the premises of a Commercial Establishment that is delivered to a Town designated Disposal Facility by a

Town licensed Commercial Hauler. As further stipulated in the Ordinance, the Town shall not be responsible for such tipping fees if the waste or Refuse is disposed at any location other than a Town designated Disposal Facility of if the Refuse has been mixed with waste collected from outside the Town.

#### SECTION 5.0 Mandatory Separation

All Commercial Establishments are required to separate specific materials from the Solid Waste stream for Recycling purposes.

5.1 Materials to Separate. The following materials are subject to mandatory Recycling requirements: corrugated cardboard, newspaper, magazines, catalogs, telephone books and mixed paper including "junk mail" shall be recycled. Commercial Establishments are encouraged to voluntarily recycle other recyclable materials.

5.2 Requirement to Recycle. Commercial Establishments shall recycle all the items identified in section 5.1 whenever these items are free of contamination. Contamination shall be defined as whenever the handling of the recyclable item places an owner or agent of the owner at a health or safety risk.

5.3 Requirement to Provide Information to Customers. All Commercial Establishments shall provide programs to its customers that are designed to encourage recycling. The Town may require evidence of such programs to assess compliance with this requirement. Examples of programs that are in use at several York businesses include the placement of recycling receptacles for customer use and the publishing of informational brochures.

5.4 Effective Date. Section 5.0 of these Rules and Regulations shall become effective on 7/1/96.

#### SECTION 6.0 Designated Town Official

The Town Public Works Director is the Town designated official for the management of the Town program to require Commercial Establishments to collect, transport and dispose of solid waste in accordance with the provisions of the Town of York Solid Waste Collection, Recycling and Disposal Ordinance.

#### SECTION 7.0 Penalties

The Town Public Works Director, the Town designated official for the management of this program, shall institute action for any violations.

Any person, firm or corporation who violate any provision of the Ordinance shall be subject to a fine of \$100.00 for each violation. Each day such a violation is continued is a separate offense.

SECTION 8.0 Waiver / Payment of Fines

Any person charged with a violation of this section, shall be allowed to waive such violation and tender to the Town of York the fine amount if paid within 20 days of issuance of the summons. If the waiver fine is paid, no appearance before a District Court Judge or other judicial officer shall be required. If the offender pays the waiver fine, the matter will be closed in the York Police Records system and listed as a subsequent offense for future violations.

If the offender chooses not to pay the waiver fine, he/she shall appear in court on the specified date to answer for the ordinance violation. If the offender is found to have committed the offense in court, fines, applicable court fees, attorney's fees, and prosecution costs may apply.

SECTION 9.0 Effective Date

**These Rules and Regulations shall become effective as of 12:00 A.M., 4/22/91.**

